

AN ACCOMPT
OF
SCOTLANDS
GRIEVANCES

By reason of
The D. of Lauderdale's
Ministrie,

Humbly tendred

To his sacred Majesty.

[675-6]

W W

TO THE KING

SIR

The following sheets, containing for the most part, the complaints of your people, against your Commissioner, doe so naturallie addresse themselves to your Matie., that I could not deny them this inscription; some may possible endeavour, to render the presumption more criminall, by censuring what is thus offered, by a concealed hand in a publick manner, for a libelling pamphlet: And truelie I am sorrie, that the mere iniquitie of the objectors, should force upon it so much of a disloyall resemblance; but sieng that it advanceth nothing, which I might not avowedlie present to your Matie., on your throne, and environed with both your Parli^{is}. and at there own and Iustise, in every point; I am hopefull, that the truth and importance of what is here honestlie held forth, for your own and your kingdoms good, and not the partialitie of any whose interest it is to have abuses covered, shall incline you to a more favourable reflexion. I must also tell your Matie. that after the endeavours, that have been used, to inform in the more dutifull methods, what appears lesse civill in this (that may be thought too communicatve) is neverthelesse excused by a very loyall expediencie; for allbeit your Maties. goodnesse, be indeed the great comfort and hope of
your

your people, and their loyaltie an impregnable defence, against all
sinistruous suspicions; yet this discoverie of some mens peculiar
guilt in these strange doeings, wherein for their own safetie, they
have dared to involve your Maties. authoritie, may both fortifie,
by a generall concurrence, my weake enterprise, for your Maties.
better information, and also signallie contribute to, the assistance
and reliefe of dutie against too many obvious tentations. However
as I am sure, that a successe in this essay, suitable to the sinceritie
of the affection whence it flowes, is the most dutifull wish that any
heart is capable of; so, that your Matie. may be constantlie di-
rected to those counsels and courses, that may render you the most
glorious and blissed of all Princes, is and shall be ever the fervent
prayer of

S I R

Your Matie. most humble, most obedient
and most affectionat subject.

When, in the year 1660., it pleased God to restore his
Matie. to these his kingdoms; with how cordiall and
universall a Joy this blessing was welcomed by Scotland,
is almost still recent in every ones remembrance: Nei-
ther was this Joy a meer raptour of passion, or its demonstrations
confined to transient expressions; if his Matie. had done all for
himselfe and us, which God did for both, the reall and solid re-
tributions of our acknowledgement could hardlie have been
more large. I shall not at present descend to a full enumeration of
instances, the whole tenour of the greatest part of the Acts, past
in Parlt in the years 61. and 62., doe make but one entire evidence;
yet there are a few things which doe well deserve a more particular
observation.

As first, that upon occasion of our former troubles, and as if
their cause and rise had only been from the peoples mutinie,
takeing advantage of the defects or neglects of the regall power,
that might have prevented it; We did establish, both by Acts,
oaths, and subscriptions, his Maties. prerogative, to be abso-
lute and incontrollable, in the choice of all Officers of State,
Councillors and Judges, and in and over all matters of peace,
warr, leagues, bonds, meetings, conventions and Parliaments,
with a distinct exclusion of all exceptions. It is true, that many
did even then thinke this a stretch beyond what the frailties of
men, and casualities of human affairs, can reasonable allow, and
that it is no lesse wisdom, to vaile the sacred heights of Sovereign-
tie under the shreine of an uncontroverted supposall: then to
expose them, by peremptorie determinations, to the cavillings
of irresistible exigencies; and therefor did preferr the modera-
tion of our Ancestors, who notwithstanding the frequent oc-
currence of many more violent provocations, yet did ever leave
these points, in that fair indefinitesse, which dutie doth allwayes
construe to an universalitie, without interfeiring with the pre-
tences of necessitie: But heavens extraordinarie favour, did at
that time so second the constancie of our love to a Prince so long
wished for, that our great persuasions of his singular enduements,
without any regard to the peevish cautions of scrupulous pru-
dence, were the only measures of our concessions, and therefor
adly, our loyaltie did not here subsist, but notwithstanding

that the soundest policie hath allwayes judged, *the power in the Prince and purse with the people* to be the justest ballance of government, yet we, forgetting all preceeding distresses, to testifie the abundance of our affection by the rarest indication whereof our Nation is capable, doe francklie add to his Maties. revenue, above the double of what he formerlie possessed; and doe netly grant him, by a voluntarie establishment, more, I am perswaded, then ever his benigne disposition would have exacted, upon an absolute surrender: And indeed this, our liberall offer, was, at that time, so rightlie esteemed the utmost of our abilitie, that, amongst other motives mentioned in the Act of Parlt. it is expresselie sett down, *That his Majestie had signified his resolution not to raise any more Sess;* and yet how often, since that time, our benevolence hath by Commissioners been drawn forth, beyond our power, upon pretext of his Maties. occasions; the taxations and assessments that have been imposed on us, within these few years, doe planlie witnesse, But

3dly, so exuberant were the propensions of our hearts toward his Matie., that, as if all this subjection professed and liberalitie offered, had been far short of dutie, we further, by an Act entituled, *An humble tender to his sacred Matie. of the dutie and loyaltie of his antient kingdom of Scotland*, mancipat our very liberties and persons to his Maties. devotion and service; and doe thereby in acknowledgment of our dutie, make humble and heartie offer to him of 20000. footmen and 2000. horsemen, sufficientlie armed, and furnished with fourtie dayes provision, to be in readinesse upon his Maties. call, for the ends there mentioned: And by the same Act the Parlt. doth declare, that if his Matie. should have further use of their service, the kingdom would be readie; every man betwixt sixtie and sixteen, to join and hazard their lives and fortunes, as they shall be called for by his Matie., for the safetie and preservation of his sacred person, authoritie, and government.

4thly, That there might be nothing wanting to these ample expressions of our loyaltie, the Parlt. by another Act, in dutifull and humble recognizance of his Maties. prerogative royall, doth declare, that the ordering and disposeall of Trade with forraigne nations, and the laying of restraints and impositions upon forraigne imported commodities, doe belong to his Matie. and his successors, as an undoubted

doubted priviledge and prerogative of the Crown, and that therefore they may doe therein as they shall judge fit for the good of the kingdom.

5thlie, That it might appear to the world, that we placed the securitie of all our interests, more in our confidence of his Maties. goodnes, then upon the firmeſt provision of the beſt laws; although the Parlt. 1641. was held by his Maties. Father of glorious memorie preſent in perſon, and many Acts were there paſſed and ſuſcribed by him, for the ſetting of our religion, and liberties, with all the maturitie of judgement, that long and well weighed experience, many and well managed treaties, and Englands mediation, could furniſh; Yet, becauſe their luſtre ſeemed to be a litle ſtained, by the ingratefull remembrance of ſome previous contentions, wherein it was our miſfortune to have his late Matie. differing from us, we, at one blow, annull that Parlt., and without other reaſon or diſtinction reſcind all its proceedings.

6thly and laſtly, That, for to evidence our unparalleled ſubmiſſion, and reſignation unto his Maties. pleaſure, and *how that*, according to the uſuall phraſe of that time, *all that was deareſt to us was to him ſurrendered*; notwithstanding, that the Nation ſince its firſt reformation from Poprie, had almoſt continuallie oppoſed Prelacie, and after having ejected it, with the ſevereſt excluſions, had for many years enjoyed a Church-constitution and miniſtrie, which at leaſt was highlie commendable, for its advancing of true knowledge and pietie, and in the worſt of times did prove the ſureſt bullworke of Monarchie: Yet, out of meer complyanſe with his Maties. will, our Parlt. doth conſent and the people ſilently acquieſce, to Presbyteries unexpected overthrow, and Prelacies reeſta bliſhment; not that the ruines of what the moſt part did eſteem to be the labour of their Fathers, and worke of God, were at that time unconcernedlie regarded, or the conſequences of this alteration, which have ſince enſued, in the leaſt unforſeen; but in a word, to a King ſo acceptable to us, and to whom we had already given all things, we could reſuſe nothing.

Theſe and other arguments, that then occurred, of the ſinceritie and ſatiſfaction of our joy, for his Maties. return, being conſidered, I thinke that paſſage Pf. 126., was not of old more truelie ſaid by thoſe concerned, then vve may now directlie and without paraphraſe transferr it to our ſelves, viz *That when the Lord turned*
again

again our captivitie we were like them that dream then was our mouth filled with laughter and our tongue with singing &c. But having said enough of these things, by way of introduction, both for clearing of some particulars, that will hereafter fall in my way, and also for obviating any mistake, that can possiblie arise, in prejudice of the countrey, upon the matters that have been lately agitat among us; I need not use any long deduction of the intervenient changes, to lead us unto the present posture of our affairs.

The Earle of Midleton was first honoured, with his Maties. Commission, ad did therein bestirr himselfe very vigorously, but overhastning, and overpryseing his worke, he soon rendered himselfe obnoxious; so that upon the mutuall jealousies betwixt him and the Duke, then Earle, of Lauderdaill, the Earle of Midleton, in his passion mistakeing the method of *billeting*, for that of *open* voicing, and in a more justifiable *presentment*, then righteous judgement, causing My Lo. Lauderdaill to be sentenced incapable of publick trust; Lauderdaill getteth the advantage; and managing it at Court, by a base insinuation of Earle Midletons generous disdain of his unworthie practices, in a short time he prevails to Midletons overthrow, and, as the course lesse invidious, obtains his Commission to be transferred to the Earle of Rothesse, whom he accompanys, from Court to this kingdom, for concludeing thatar Plt.

And in this last Session thereof it vvas, that the Act and humble tender above mentioned, vvas passed vvith that exorbitant clause, offering the forces therein condescended on, *to be in readinesse, as they shall be called for by his Matie., to march to any part of his Dominions of Scotland, England, or Ireland, for suppressing of any forraign invasjon, intestin trouble, or insurrection, or for any other service, wherein his Maties. honour, authoritie, or greatnesse may be concerned.* Which, though at that time it was lookt upon, by some, as superfluouslie expresse, and suspiciously distinct (a generall offer, being a more aggricable signification of dutie, and a limitation to Scotland, more proper to a Parliaments prudence) Yet the stile and humour of those times, did easilie exempt it from particular notice: But what My Lo. Lauderdaill, its principall contriver, did thereby intend, time, the best revealer of secret designs, hath since sufficientlie discovered.

This

This Parlt. being dissolved, our new triumphant Church (a qualitie, which no Church on earth, did ever evenlie bear) came next upon the stage, and being fullie authoris'd by the laws latelie made, and then also armed with their *High Commission*, they go on, in the years 1664. 65. and 66. with their *dear* and *important* *conformitie*, at so *christian* a rate, that I verily believe, that all men, except a few of our laborious and indefatigable ghostlie fathers, were perfectlie thereby tyred out: what prancks were plaid, tumults excited, and tragedies acted, in these years, by our reverend Clergie, as if æmulous of that Presbyterian zeal, which they use so hotlie to decry, needs not here be repeated: My Lo. Lauderdale himselfe, though at that time our sole Minister, was, in appearance, so overcome, and born down by them, to a desperate indifferencie, that, in probabilitie, if the Earle of Tweddell and Sr. Robert Murray, had not come in for his admonition, and our reliefe, the land might have been reduced to the greatest extremities.

But they, having then the honour of his favour, and thereby access to represent things in their true state, became the happie instruments of a very seasonable deliverance, and afterwards of a more expedient indulgence; whereby the Countrey was very sensiblie refreshed, and a great part of its disquiets composed: And this was the condition of our affairs, when unluckilie, in the year 1669. My Lo. Lauderdale, falling into an itch of *Grace*, and thirsting for a little of that *Glory*, whereof he had long sway'd the *Power*, procures a new Parlt. to be called, and himselfe thereto named Commissioner: Now, it being from the date of this Commission, that we may trulie calculate the rise of most of our late mischiefs, it will not be amisse, that, in the first place, I summarylie runn over the occasion, and continuing of this Parlt. and thereby make way to their more coherent representation; & it is notoriously known, that, the pretence made for its assembling, was the notion of an Union betwixt the two Kingdoms; but the matter being of great moment, our procedure must also be very slow paced, and therefore, during all the first Session, which continued from the 19. of Octr. unto the 22. of Decr., all done about it was onely the Parliaments answer to his Maties. let-

ter: But the truth is, the honour, power, and profit of the place of Kings Commissioner, being once tasted, did prove by farr the more tempting; and therefore the Parlt. must be continued, for prosecution of the thing, in a second Session, which was accordingly held, from the 28. of July unto the 22. of August 1670, and therein the Commission for the treatie, is, in little more than an hour, expedited to such persons, as it should please his Matie to nominate, or rather My Lo. Lauderdale to suggest; But, allbeit that, within a very short space thereafter, this whole project was marred, and its design dissipated like a vapour; yet our Parlt. and his Graces Commission were still kept current, untill that very happilie the warr, which he had helped to bring on, gives him a new colour, for a third Session in the Year 1672. and thereby, occasion to honour us, with a third visit. At the opening of this Session, his *Maties* letters are read, intimating the warr to be the cause of their meeting; but withall stuffed, with such hyperbolically commendations of My Lo. Commissioners Grace, that I am charitable to think, that neither his presumption vould have served him to move his *Matie* to such things, nor, even his modestie have consented, that the like should be said of him, if it had not been a designed gallantrie for his new amiable Dutchesse, who, by a novell practice, had her place prepared, and was there present: and certainlie it is to the same reason, that we must ascribe his breaking up of this Session in the midle, for leading of her Grace, *μὲν πολλὰς παραστάς* about the Countrey, for severall weeks; the members of Parlt., being left to attend their return: & so after the close of this Session, which did dure from the 12. of June unto the 19. of Sepr., he goes back again to Court, without any mention of a dissolution; which neverthelesse in his particular, happened well: for finding that matters in England begun to frown, and that in the summer 1673, the clouds thickned exceedingly, even to the threatning of an inevitable eruption, at the ensuing meeting of their Parlt.; If Scotland, formerlie the theatre of his glory, had not novv presented, as a convenient retreat, he might have been in great perplexitie: and therefore, for a fourth time, down he must come, onely the pretence vvas not so obviuous, yet the vvarr not ended, and the disorders of the
Phana-

Phanaticks, that have served many a turn, are judged sufficient matter for a letter, wherein his Matie recommending first the securitie of the kingdom, and next, the severe chastisement of non-conforming disorders, concludes with many good words in behalf of his Grace in the usuall manner: but the 12. of Novr. the day of the meeting of Parlt. being come, after the reading of his Maties. letter, and a short speech made by the Commissioner, he is greatly surprized, to hear a discourse of grievances begun by Duke Hamiltoun, and seconded vehemently from every quarter, so that he had no way to extricate himself; but by a short adjournment: and thus, from that day to the 9th. of Decr, keeping only five meetings of Parlt., he, on the one hand, endeavours by redressing the grievances of the Salt, Brandy and Tobacco, caballing with his few adherers, and insinuating with some of his opposits, to appease matters; and, on the other, he fights and wrestles, with pretences of his Maties prerogative, and abrupt adjournments, to stave off more touching complaints; untill, perceiving all his ground to be lost, he is at length necessitated to deliver himself by one long adjournment for all, and to wait for a more favourable opportunitie, from the issue of things then in dependence in England: but notwithstanding, that all things, both at Court, and concerning the English Parlt., have succeeded to his very wish, and that in this *interim*, he hath omitted nothing at home or abroad, which might dispose affairs to a more propitious aspect; yet when the meeting of our Parlt. recurs, on the 3d. of March, he again, by his Maties. expresse command, *chuses* to adjourn it unto the 14. of Octr. next, to the unexpressible surprize, and dissatisfaction of both Parlt. and people.

Having thus dispatched the narrative of our Parlt. and its Sessions; for the better understanding of the causes, that have occasioned our discontents, and increased them unto the present distemper, it may be remembred, that, after that the Earle of Middleton was laid aside, the whole mannagement of our affairs, at Court, was devolved upon My Lo. Laud., as sole Secretarie, for this kingdom, neither can it be accounted an imposing, by any knowing person, to affirm, that he did no lesse absolutelie exercise it.

His Maties long absence from our Countrey, and his necessarie unacquaintednesse, by reason thereof, both with persons and the condition of matters amongst us, do certainlie extend, and raise this employment to the greatest and highest trust: But My Lo. Lauderdale, according to his *noble selfe confidence*, apprehending more the controul of other mens officious medlings, than the least possibilitie of his own mistaking, did further improve the thing, by the particular care and caution that he took, to have himselfe his Maties *sole Informer* as well as his *sole Secretarie*; and therefore, not onely upon the pretence of his Maties prerogative, were our matters, for the most part, disposed of above, without any previous advice of his Maties Councell in Scotland; but strict notice was also taken of all Scotchmen coming to Court; and to attempt an addresse, or accesse to his Matie, otherwise then by My Lo. Lauderdale, was, no lesse, than the hazard of his implacable resentment. I need not here mention his supine, or rather designed, neglect of introducing Scotchmen to offices about Court; it is obvious to every one, that even those vacancies, happening by the death of Scotchmen, were there, through his fault, discontinued from the nation: it was also his studie and work, as he hath often publickly boasted, to have the *Court Councell* for Scotch businessse, upon pretext that it consisted of Englishmen, disused and suppressed: But as it is evident, that he did draw to himselfe the whole significancie of our Nation in England, meerly for the augmenting of his own value, so it is no lesse clear that he ordered all things amongst us at his own pleasure. Thus, from himselfe alone, Privie Councillors are named, Lords of Session and Exchequer placed and removed, gifts and pensions granted, Armies levied, and disbanded, Generall Officers appointed, this Parlt. called, and all other matters of importancie transacted, as he thought good to advise and direct: And the truth is, that for severall years, the thing was quietly comported with, forasmuch as, we did not onely consider that the present state and circumstances of our government, did some-way oblige us to this condition; but did also find, that so long as Chancellor Hyde did force My Lo. Lauderdale to consult, more his prudence, then his humour, his administration, though too absolute

absolute, was yet not altogether unreasonable: But, this restraint being once removed, and his ambition left at libertie to swell with his prosperitie, what strange and grievous effects it hath since produced, especially after his rising to be his Maties Commissioner, the plain history of things, without the persuasions of any other argument, will best evince; and because that the order observed, or intended in Parlt., will probable give most satisfaction, it shall also be the rule of our method.

The first, and great grievance then, mentioned in Parlt., was the monopolie of *the Salt*, which being by My Lo. Lauderdale procured, to the Earle of Kincaerden his friend, by his Maties gift, allowing the præemption of *Inland* and prohibition of *Forraign* salt, was worth to the interessed more then 4000 £. st. yearlie; but not onely with twice as great a diminution of his Maties revenue, but to the generall and heaveie distresse of the whole countrey; it being most certain, that the nation was thereby reduced to those straits, that in many places, the poor people were necessitated, to send severall miles to the sea, for salt water, to supply their indigence; and in other places were constrained, to give 18. or 20. shillings st. for the same quantitie of salt, which, before the granting of this Gift, they used to buy for 3. sh. and 6. d. or 4. sh.; so that in effect the clamours of the people were ready to break out into uproars and tumults. Which grievance is so much the more chargeable upon My Lo. Lauderdale, because that vvhhen his Maties chief Officers, perceiving that the first design of this Salt-project could not take, and that the consequences of this gift vvwould be very hurdfull, did by their letter give full information to the Court of the prejudices and dangers, likelie to ensue upon it, in stead of prevailing, they vvvere rather chid and menaced for being so officious.

The second grievance vvvas, that of the *Brandy-wine*, vvvhich vvvas thus occasioned; in the Parlt. 1663. there vvvas an Act made, prohibiting the importation of strong-vvaters, and so of brandy-vvwine; vvwhereupon, in the year 1672., My Lo. Lauderdale obtains for the L. Elphinston, vvwho had married his Niece, a gift of this prohibition, and of the seizures, that should be made upon it; but the contrivance vvvas not to render the law effectuell,

but indeed to circumvent it; for the Patentees advantage; who, in place of hindering the import, did give to the Merchants licenses upon composition, at the rate of 15. or 16. *th.* *st.* per tunne, which would have amounted to at least 3000. *th.* *st.* yearlie; and hereby vast quanties were imported, without the payment of either Custom or Excise, and yet vented again in the Countrey at excessive prices.

The third grievance was a gift of 2½ *d.* per pound upon all tobacco imported; this gift was granted in the year 1673. to Sr. John Nicolson for himselfe and some other of My Lo. Lauderdale's friends, who were his partakers, whereby they should have made a considerable benefit, but with the damage of, at least, two or three thousand pounds *st.* yearlie to his Maties treasure, and the great extortion of the people. These were my Lo. Lauderdale's wise and faithfull improvements of his Maties prerogative in the matter of Trade, which he was so instrumentall to have declared, and indeed are perversions, so palpable grosse, that comparing events with their causes, a man may find great reason to doubt whether My Lo. Lauderdale did not intend these very abuses, as much in the framing, as in the violating of, these laws: and yet when they came to be complained of in Parlt., what opposition, and indignation he shewed, even to the straining of his Maties *sacred authoritie*, in its most tender and delicate part, many hundreds can testifie; neither can it be alleadged that the things were first moved in Parlt., not for a redresse from My Lo. Commissioner; but in order to A representation desired to have been made to his Matie. Because that, first they being so enormous, and yet instances onely, and not the whole of our grievances, a representation to the king, was not more necessarie for an adequate remedie, then for future prevention. Next, the matter of the Salt had been alreadye fullie remonstrated to his Matie by his Officers of State, and by My Lo. Laud. procurement, a sharp rebuke, in stead of a gracious reliefe, was all the return, as I have alreadye marked. But lastly, it is most probable by all circumstances, that if it had not been from the fear, and for the diverting of this representation, My Lo. Lauderdale, in place of hearkning to a redresse, had, according to the inflexible constancie of his great
soul

soul, in the royall spirit of Pharaoh, and with the brave Politick of Rehoboams young huffes, answered these turbulent murmurers, *you are idle, you are idle, your yoke is heavie, but I will add thereto.*

However necessitie, at this time, prevailing, these *three burdens* are removed, to the peoples great comfort, and his Majesties considerable advantage. But here it is that we are to remark, that the thing wherein his Grace did find himselfe mostly concerned, was the proposall made, as I have touched, that his *Matie* should be by his Parlt. immediatlie informed of the true state and condition of the kingdom; and indeed his Grace was thereby so hotlie allaram'd, that little more libertie of speech was allowed, or order observed; but immediatlie his *Maties* prerogative is pretended, that nothing ought to be moved in Parlt. except by the Lords of the Articles, that to them complaints and overtures should be first made, and, if by their vote thrown out, they should proceed no further, and therefore, not onely were all motions offered in plene Parlt. checkt and interrupted with this common answer, *to the Articles*, but the Parlt. was certified by his Grace, that if they should *all* agree to have grievances otherwise treated, and considered, he would interpose and hinder it by his great *negative*.

Now, because, that this pretence of the priviledge of the *Lords of the Articles*, was justlie lookt upon by all considering men, as a virtuall subversion of the power and libertie of Parlt., alike prejudiciall, both to his *Matie* and the kingdom, it may be observed,

First, that this meeting of the Articles, by its last establishment, consists of eight Bishops, chosen by the Lords, eight Lords, chosen by the Bishops, and eight Commissioners of Shires, and eight Burgesses, chosen by the eight Prelats, and eight Lords, first elected, jointlie to which were added by the Commissioner the Officers of State.

Secondly, That in the contending for the power of this meeting, it was asserted, that not onely all businesse must be by the Lords of the *Articles*, and by them onely, tabled in Parlt., but that, if in the debates upon their reports any new thing should be started, the Parlt. ought not to take notice of it, further, then to return the whole matter to the meeting of the *Articles*, to be there entertained or suppressed at their pleasure.

Thirdly,

Thirdly, That it is manifest from all our Records, that the rise and constitution of this meeting, vvas at first by the free appointment of our Parls, vwho thought fit to name certain of their number, for framing such overtures as vvvere offered for the publik good, into *Articles* to be enacted for lavvs according to the ancient form; and therefore, it being at first devised by the Parlt, as a simple expedient for order and dispatch, it vvvas also, both inconstant in its being. and variant in its number and method, according as the Parlt. did see cause.

Fourthly, That as this meeting was in effect the Committee of the Parlt., for preparing laws; so it is very well known, that there was another, more ancient, meeting ordained by the Parlt. and called, *Domini ad querelas* or (if you will) the *Committee of Grievances*, which having continued in all times, was onely disused in the 2d. Session of the Parlt. 1661., to the effect that private affairs, which in the first Session of that Parlt., when our ordinarie Courts were not set down, had taken too great a current that way, might, after their restitution, return more easilie to their proper channels.

Fifthly, That the Act of Parlt. K. I. 6th appointing four of every Estate, to meet 20. days before the Parlt. to receive all articles and supplications; and deliver them to the Clerk of Register, to be by him presented, to the persons of the Estates, to be considered by them, to the effect, that things reasonable, may be formallie made and presented to the Lords of the Articles, in the Parlt. time, & frivolous matters rejected; Doth no vvways countenance this exorbitant power of the Lords of the Articles, it being manifest, by the order therein sett down of preparing matters by a previous meeting, and their subsequent forming, and presenting, by the three Estates, to the Articles, that the Parlt. povver of first receiving, and then committing, matters to that meeting, vvvas not, at that time, so much as the subject of the question. But, the onely thing intended, vvvas the orderlie tableing of things in Parlt. as is yet further apparent, by vvwhat is there subjoined viz. *that no Article or supplication wanting a speciall title or subscribed by the presenter shall be read or answered in that Convention (to vvvit of the four of every Estate) or the Parlt. following the same.* Which is a provision, so cleeghtie preparatorie,

ratorie, to the meeting and vwork of the Lords of the *Articles*, that it is indeed strange, how men could have the confidence, to obtrude this Act, even to his Matie, for proving their pretended prerogative of *the meeting of the Articles* over the Parlt., which, I darre affirm, did never before this time, enter in the imagination either of King or Parlt. since they were knowvn in this nation.

Sixthly, That in the Parlt. 1663., vvhere My Lo. Laud, a influence vvvas very eminent and signall, there vvvas a particular Act made, for *setting the constitution and choysing of Lords of the Articles in all time thereafter* whereby it is exprelslic provided, *that the Lords of the Articles are to proceed, in the discharge of their trust, in preparing of Laws, Acts, and overtures, and ordering of all things remitted to them by the Parlt., & in doing every thing else, &c.* Which words remitted to them do, in their obvious construction, and most received signification among us, very evidently suppose, and hold forth, the povver, and use, of proposing to be in the body of the Parlt., and that the Lords of the *Articles* are to act upon their references, as their *Committee*.

Which arguments, being well perpended, and the unanimous suffrage of reason, law and sense, that doe plainlie say, that no Court can or ought to be cypherized by its own delegates, being thereto added; I think I may, without difficultie, affirm, that his Grace by attributing to the *Articles* this præminence, and superintendence over the Parlt., and thereby depriving it of its just libertie, did directlie impugn, and highlie derogate from its authoritie and dignitie; and so became guiltie of a greater grievance, then any of those, which he laboured to avoid. Its true he wanted not cogent enough motives, for what he did; he saw, in the first place, that the meeting of the *Articles*, (whereof he supposed, that his former care, with the obsequiousnesse of the Bishops, would gain him the pluralitie) was his onely refuge, from the terrour that he became to himselfe in the apprehension, that otherwise his actings might come to be *trulie* discovered by a *faithfull* Parlt. to a *gracious* Prince: And next, the Parlt. had, out of their exceeding tendernesse of dutie to his Matie, testified, in their preceeding sessions, so much compliance with all his *humours*, as well as deference to his *character*, that he had fullie
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their decreets, an appeal by way of protestation, to relieve the appellant of the prejudice of a constructive acquiescence, might be lawfullie made from the Lords to the King and Parlt. and that this they conceived themselves bound to assert, lest they should contraveen the law, that forbiddeth all men, under the pain of treason, to impugn the supream authoritie of the Parlt. But albeit both his Maties Advocate and others of the *Bench* gave their opinion, that an appeal in this sense, is not against law, and none of the rest did or can assert the contrarie; Yet My L. Commissioner still pousseth on, and will have My L. Amonds Advocats to depose upon oath, about its contrivance, whereupon the Advocates do, on the other hand, answer as positivlie, that the appeal being owned by My L. Amond, and offered by them to be justified, there was no more subject of inquisition; that his Maties letter did suppose the thing to be unlawfull, and no man was bound, in a matter of that consequence, to give oath against himselfe; that, by an expresse law, men should not be required to give oath *super inquirendu*; and lastly, that by their oath, as Advocates, they were bound not to reveal the secrets of their Clients, whereunto the oath demanded seemed to tend. And to this last point the whole body of the Advocates do Join, and declare their concurrence. But notwithstanding these answers, the Lords, refusing to transmit the Advocates reasons, write up a second letter, acquainting the King with their denyall. In which heats and disputes, unnecessarilie drawn on, by My L. Commissioners straining humours, about the authoritie both of King, Parlt. and Lords of *Session*, and after a second appeal made in the same manner, the Lords, according to their usuall dyet, breake up untill the first of June, whether to the increasing, or abating the grievance here mentioned, I leave it to others to Judge, and to time to determin.

The sixth grievance is *generall gifts of his Maties casualties* such as the generall gift of *Wards and Marriages* to the Earle of Kincaerden, contrarie to expresse Acts of Parlt., and to his Maties great prejudice, and the vexation of his subjects: For these casualties, being of an undetermined extent, as uncertain

tain as the death of Vassals, and ordinarilie attended vvith many circumstances, vvhercof his Maties equitie and goodnesse can onely best arbitrate; the reason both of the lavv, and also of his Maties and his subjects their interest, against all such gifts, is abundantlie obvious. Neither is the aggravation, arising from the persons, the procurer, and the purchaser, lesse considerable; the D. of Laud. and Earle of Kincaerden are, both of them, Commissioners of his Maties Treasurie, and also extraordinarie Lords of the *Session*, so that being double obliged, by these two great and honourable trusts, equallie to intend his Maties advantage, and the observation of his laws, their delinquencie in this point, cannot but be accounted a high misdemeanor; vvwhich to excuse, by saying, that, notwithstanding the gift, no action hath been thereon founded, but all proceedings carried on in his Maties name, and by his Officers, after the usuall form; vvhen in the mean time, My L. Kincaerden doth treat, and compound, and takes up the profits of all sentences, vvhat is it else save to acknowvledge a transgression of the sense, in the manifest circumvention of the vvords, of the lavv: Is is true that this gift is not the first of this nature that hath been granted: Immediatlie after his Maties return My L. Lauderdaill and others got a gift of all preceeding casualities, and the Earle of Kincaerden, had also a prior gift for three years, whereof this is onely a prorogation, by vertue of all which many thousands of pounds have been very rigorousslie exacted: but seing, there can be hardlie any thing more unreasonable, then to pretend a priviledge in evill from mens forbearance, it is evident that these things, do onely render the grievance exceedinglie more grievous.

These three last grievances, having been moved in Parlt., immediatlie before its Decr. adjournment, before I passe to other things that were not moved, I shall brieflie narrate two other passages, that were thought also to influence it. The first shall be of one Mr. Paterfson Dean of [Edenburgh; this man, after the first conflict in Parlt. about a representation, to be made to his Matie., preaching before the Commissioner, was pleased to tell his auditors, *that sometimes God*
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to the *essay* severallie, but the whole (with what mixture of syner pieces coined and conveyed in on purpose, to compense the baser, who can tell) is melted down together in one masse, and thereupon the *essay* made, and the report thereof, with some small lignots, sent up to the King; which proving (to be sure) according to the designe of the contrivance, his Matie within these few days, sends down a second letter to the Councell, signifying his satisfaction, and willing Hatton and the rest of the Officers to be exonerated: But when this letter is read, it is opposed that the grievance of the *Mint* had been tabled in Parlt., where the tryall should also be issued, that his Maties first letter did onely order a tryall to be made of the *essay boxe*, which if either falsified, or otherwise eluded, could not be a ground of release to the Mint-Officers, so long as it was manifest, that almost the whole of the current coin is defective and debased; and lastly, there was offered, a bagg of money latelie received out of the mint Office, sealed with the Officers seals, which they could not but still acknowledge, and it was desired that there might be a tryall made on the species therein contained. Notwithstanding all which, My L. Commissioner, and the pluralitie of the Councell, proceed and vote an exoneration, conform to his Maties last letter. Now is not this a noble way of redressing grievances, to purge the Author, and leave the thing untouched? nay to make the greatest aggravation that can be of his failing, viz. the corrupting or frustrating of the checque, the best ground of his cleering, and all this contrarie to the reclaiming evidence, of almost, as many witnesses, as there are pieces of his Maties coin minted in Scotland; it being certain that amongst hundreds that have been tried, very few have been reported to be, *standard*.

The fifth, is *the filling of our Courts of indicatorie especiallie our Session* (which is the supream for administration of justice) *with ignorant and insufficient men*: This is a grievance so notorious that I am forrie, that it leaves me not so much as; the shadow of a complement, in forbearing to name the persons; Sr. Andrew Ramsey, one of the four latelie brought in by My L. Laud., being questioned in Parlt. (as we shall hear) did voluntarilie demitt in his Graces hands; and yet I am assured that I neither favour him,

him, nor wrong the other three, when I give him the preference both as to parts and knowledge. But the evil doth nor here subsist; its more afflicting progresse is, that in effect My L. Lauderdails all-swaying power, his brothers headines, and other mens baseness, have introduced that partialitie, both in the Session and other Courts, that, the very foundations of law and right, are like to be shaken; as was readie to have been instanced in Parlt., in severall late decisions, prepared for seconding the *memoriall* given in for a tryall of this matter: And this was also the cause of another overture then thought upon, and since moved to his Matie, viz. that there should be a methodical digestion of our laws, and that the rules of judgement should be rendred more fixed and certain: but in place of a remedie, these things were all adjourned with the Parlt., & since their breaking up, new practices have been used, to make the case more desperate: For there being, in Februarie last a sentence *interlocutur* pronounced by the Lords of *Session*, in an action betwixt the E. of Dumfermling and L. Amond, the L. Amond, finding himselfe thereby grieved, thought good to protest, and appeal to the King and Parlt.: but My L. Commissioner looking on this as a noveltie (albeit it wanted not precedents, and that even his Graces Father, who was himselfe a Lord of the *Session* did more, in appealing from the *Session* to the King onely) lays hold on the occasion, and (as its like) as well to ingratiate with the Lords, as to reach some Lawyers who had displeased him, the Lords are by him moved to write to the King, complaining of the thing, as contrarie to severall Acts of Parlt., and of dangerous consequence; to which an answer is as quicklie returned, signifying his Maties displeasure against it, and ordering the Lords to enquire, by My L. Amond and his Advocates their oaths, who were its contrivers: But when the businesse comes to be examined, My L. Amond owns the Appeal, and adheres to it in the sense wherein his Advocates, by a resolution under their hands, had affirmed it to be justifiable, viz. *that, although by Acts of Parlt., there did ly no such appeall from the Lords, as could stopp their proceedings, or the execution of their sentences; yet seing the Parlt. was the absolute sovereign Court of the kingdom, and hath somtimes upon complaint rescinded the Lords*
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assured his ambition of their eternall submission; neither was this assurance a groundlesse flatterie, for he knew, that he had put the matter to the proof, upon severall occasions, as first, when upon a vacancie falling out in the meeting of the *Articles*, the Parlt. did allow him to supplie it by his nomination. 2dly, when contrarie to the received custome (& yet without contradiction) he caused exclude from being present at the meetings of the *Articles*, all such members, as were not thereto named, to the effect, as it is probable, that the body of the Parlt., being lesse prepared, might the more implicitlie go along withall their conclusions. and 3dly. when in the 3d. session of this Parlt., upon an overture made by a member, in the debate about the sumptuarie act, that the *summer session* might be taken avay, he passionately blustered out, *that, for that very presumption the thing should not be done so long as he was Commissioner*, vvith many other foolish words to this effect: Yet in all these he was tamelie born with.

But, albeit these things may possiblie excuse his being so untractable to free reasoning, with which he had been so litle acquainted; yet it remains still a matter of just wonder, that, at least, the interest of his *Matie*s authoritie, visiblie exposed by such an intollerable stretch, did not oblige him to a better behaviour, in so concerning a contest: For as much as, it is evident, that if the prudence and loyaltie of the Parlt. had not restrained, nothing else could have retriued the prerogative, from the inconvenience of this hard *dilemma*, either of being subjected to a necessarie regulation, or of being the occasion of a seeming breach betwixt the King and his people. But the Parlt., being resolved to decline that point, with their utmost circumspection, chused rather to maintain their possession, by an uneasy exercise, then to assert their right with the smallest umbrage of offence, not doubting, but that his *Matie* would, in due time, determin the controversie to their satisfaction.

And therefore, leaving it, as it stands, I shall again return to my main work, and prosecute our grievances, in such order as the members of Parlt. found accesse to move them in: onely, seeing that their endeavours had no better successe, than to provoke his Grace to break up this fourth Session, with a two moneths adjournment,

jourment, I shall here handle them more fullie then they were there spoke to.

The fourth grievance then is, the *corruption of our Mint and Coinage*, whereof My L. Hatton the D. of Lauds. brother is Generall; this complaint was grounded in the universall clamour of the people; vvhoe have found, for these severall years, that the intrinsick value of our silver coin is sensiblie diminished, both in its vveight and finenesse, to the nations great damage, and dishonour; beside it doth add to the resentment, that the same L. Hatton having, some years ago, filled the Countrey, with a light copper coin, without observing, either the quantitie, or the weight and value prescribed, was nevertheless by My L. Lauds. means, secured and indemnified: It is also remembered, that the better to enable him to this depravation of our silver coin, the Dutch dollars, called the *legg dollars*, usuallie imported by our merchants, and current amongst us at 58.d. per piece, were cryed down by the D. of Lauds. procurement, to 56.d. for no better reason *known*, than that they might be brought in for bullion, to the mint-house, for his brothers benefit: But though, that all demanded in Parlt. about this matter was, that there might be an examination of the coin appointed, and an account given of the bullion, which hath been long neglected; yet the memoriall given in for that effect, was not regarded: It is true that My L. Laud., after the Decr. adjournment of the Parlt. did move his *Matie* to vvrite a letter, and thereupon bring the businesse to a tryall, before the Councell; but in a manner so partiall, that I professe it is my admiration, how any man should have a confidence strong enough for such practices. The subject of our complaint is the stock of our current money, and all appointed by his *Maties* letter, is, that there should be a tryall made upon the *Essay boxe*, and the pieces therein contained. I shall not say, that the oversight thereof hath been altogether in My L. Hattons ovvn povver and trust these years bypast, yet so certain it is, that this *box or pixis* hath been of late so greatly neglected, that one of My Lo. Commissioners friends, appointed for the examen, could not forbear to say, that they were mett to see whether the *Officers of the Mint* were as much fools as they were suspected to be knaves, but notwithstanding this the tryall goes on, and moreover the pieces are not brought

for the sins of a people would raise up a fawning Absalom to flatter, and kisse them, and to steal away their hearts, by bemoaning their grievances, and saying that their matters were good and right, but there was no man deputed of the King to hear them, untill at length a Sheba the son of Bichri, should arise to sound the trumpet of rebellion and say, We have no part in David, &c. with many more words to this purpose; which discourse, by all its circumstances, carrying an intollerable reflexion upon some members of Parlt., and that so obviousslie, that notwithstanding that Mr. Paterfon did swear, that he thereby intended no particular person, yet, unlesse they had been inspired, it was impossible not to think them *designed*; there is thereupon a complaint exhibited, craving that Mr. Paterfon might be called to account for such seditious speeches; This the Commissioner would at first have waved, and then, finding that it was like to be warmlie pressed, he agrees, that the examination be committed to the Lords of the Clergie, but although a competent time was given them, and their report often demanded, yet it was still declined and delayed without any issue.

The second shall be about Sr. Andrew Ramsay, This man having been Proveist of Edinburgh under Oliver, and complied with him to the height of being Knighted, and thereafter getting himselfe reknighthed and reentred Proveist by the E. of Midletons favour, upon his disgrace, very quicklie strikes in with My L. Laud., with whom and the tradesmen of Edinburgh, he by his long-practised arts, of flatterie, and bribery, did so mightilie prevail, that after having been ten years Proveist, and in that time domineered over the Citie, and enriched himselfe by their rents and moneys at his pleasure, he dreamed of nothing lesse, then a perpetuall *dictatorship*: What kind deallings, during these years, were betwixt My Lo. Laud. and him is sufficientlie known, the office of Proveist which never had before either fee or salarie, yet now by My L. Laud.s procurement in behalfe of his favourit, hath a pension of 200. lb. st. yearlie, annexed to it. 2dly. the Militia, being established, the Proveist is made Collonell, and his son Major, of Edinburgh regiment, and with a 100. lb. st. to the Major of yearlie salarie. 3dly. Sr. Andrew having, neither
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for a juſt price, nor by the faireſt means, got a title to a bare inſignificant rock in the ſea, called, the *Baß*, and to a publick debt, both belonging to the L. of Wachtou; *My* L. Lauder., to gratifie Sr. Andrew, moves the King, upon the pretence of this publick debt, and that the *Baß* was a place of ſtrength (like to a caſtle in the moon) and of great importance, (the onely neſt of Solen-geefe in theſe parts) to buy the rock from Sr. Andrew, at the rate of 4000. lb. ſt., and then obtains the command and profits of it, amounting to more then a 100. lb. ſt. yearlie, to be beſtowed upon himſelfe. But, beſides this, there was alſo here an open reciprocation on Sr. Andrews part; for it having pleaſed his *Matie*, about the ſame time, to perpetuate to the Town of Edinburgh a gift, which they had enjoyed for ſome years by temporarie grants, Sr. Andrew takes this occaſion to expreſſe his gratitude to his Patron, and repreſenting to the town, how much *My* L. Laud. had befriended them in that matter, he perſwades them to acknowledge it, with a benevolence of 5000. lb. ſt. 4thly. *My* Lo. Laud. procures Sr. Andrew, to be made firſt a privie Councellour, then a Commiſſioner of the Exchequer, and laſt of all a Lord. of the *ſeſſion*, although the beſt breeding that ever he had, for theſe employments, was that of his being once a merchant.

But here, ill-natured envie maliciouslie diſdaining theſe ridiculous preferments, and taking the advantage of Sr. Andrews manifold maleverſation, incites firſt the murmurings of the Citizens, and then at *Michaelmeſs* 1672, the oppoſition of ſome of their Councell, againſt his continuance in office: Nevertheleſſe Sr. Andrew, albeit with extream weſtling, gets through for that time, and to prevent the recurring of the like difficultie, thinks fitt to inform *My* L. Laud., that ſome factious perſons had ſtirred up tumults, to diſturb his election, and thereupon his *Matis* letters are directed to the privie Councell, ordering them to examin the matter, and report: When the privie Councell received theſe letters, the moſt part were not a litle ſurprized, to ſee a command from Court, to enquire about a tumult, alledged to have been made, in the place of their reſidence, whereof they had not before heard; yet in obedience, albeit there was as good as nothing found, the report was made, which all men

judged would be the close of that affair: But Sr Andrew being resolved, notwithstanding that the body of the Citie was generallie sett against him, to carrie also the next election, the better to prepare for it, obtains by My. L. Laud. a letter from the King, in Sept^r. last to the Town-Councell of Edinburgh, resuming the storie of the tumult, and thereupon ordaining Mr. Roughheed their Clerk to be removed from his office, as being there-to accessorie, concluding that his Matie would supersede to determine as to others, untill he should be informed of their behaviour in the ensuing election: I shall not mention all the little insolencies, wherewith Sr Andrew did execute these orders against that Gentleman; the thing considerable is, that all that heard of this letter, and how that thereby, contrarie to law, the right of the Clerks office, was arbitrarilie taken from him, without being heard, and the Town-Councell also indirectlie overawed in the freedom of their electing, did look upon the impetrating thereof, as a most dangerous precedent, threatning every mans propertie and libertie, and therefore, not onely was the Clerk encouraged to raise an action declaratorie of his right and for repossession, but My L. Laud. preceiving, that the generall resentment was justlie levelled against himselfe, as the principall author of this high attempt, he again by a second act, imposing no lesse upon his Maties *goodnesse*, then by the former he had abused his *justice*, moves his Matie to write a second letter, ordering Mr Roughheed to be restored, without the least acknowledgement, to a place, from which, not 10. weeks before, he had been, by the same method, removed as a seditious incendiarie: These then and severall other of Sr Andrews high misdemeanors, having deservedlie occasioned a complaint to be exhibited against him in Parlt., the Commissioner, observing well what might be its consequence, and yet unwilling openlie to undertake his defence & patrocinie, consents that the matter be referred to the Lords of the *Articles*, and there again obtains that the tryall of the things charged, should be remitted to the ordinarie Courts: But the Parlt. knowing as well as his Grace that those exorbitancies, that flow from the abuse of favour, are commonlie

coloured with such conveyances, as plain and positive laws, (to which these Courts are tyed,) doe rarelie suspect and so very seldom provide against; doe therefore still insilt that the Lords of the *Articles* would bring in their report; whereupon My Lo. Commissioner, understanding better then any man Sr Andrews guilt and his own accession, as a fitt expedient, both to appease the people, and to decline so concerning an accusation; upon the Sabbath, wheedles Sr Andrew unto a voluntarie dimission of all his places and employments, and upon the Tuesday thereafter adjourns the Parlt. and how he hath since endeavoured to represent him, both here & at Court, as if he alone were chargeable with all his offences is abundantlie known.

I have been the more ample in this narration, because that, with all reverence to his *Matie*, (whom I know to be infinitlie removed from all communication in My Lo. Lauds. naughtie practices) and proportions also being observed, and the parallels duellie commenced from the Year 1662., I doe indeed take Sr Andrew Ramsey with reference to My L. Laud. and the Citie of Edinburgh, to be a very exact modell of Lauderdaill himselve, in order to his *Matie* and all Scotland, and therefore the more ingrattull is his confidence that under such a pressing conviction, should not relieve his *Matie* and the Kingdom, in complecting the similitude by a spontaneous dimission.

Having thus gone thorough these motions made in Parlt. about the *Mint*, *Lords of Session*, *generall gifts*, *Dean Paterfon* and *Sr Andrew Ramsey* I now proceed to these other grievances, which, albeit not allowed to be brought in, were notwithstanding intended by severall members; and, in probabilitie, would have been the principall points in the representation which was over-tured, to be made to his *Matie*.

The seventh grievance then is *the accumulation of eminent offices upon single persons*: I shall not here reflect upon the sufficiencie or insufficiencie of any, I heartilie wish that all men were as carefull to cover, as I am willing to conceal their weaknesse; but the plain ground of complaint is, that My L. Laud. hath procured to himselve, and the L. Hatton his brother, and to the Earles of Athol and Kincaerden, his particular freinds, not onely the most confi-

derable, but also the farr greater part, of the more important charges of the kingdom, to the visible weakening of the government, and to the detriment of his Maties service; thus the D. of Laud. himseife, is

First, President of his Maties Councell.

2dly sole Secretarie.

3dly one of the Commissioners of the Treasurie:

4thly Captain of the Castle of Edenburgh.

5thly Captain of the *Bas*.

6thly Agent at Court for the Borroughs.

7thly one of the four extraordinarie Lords of the *Session*: and

8thly (for who knows how long it may continue) his Maties high Commissioner and all that it imports.

The L. Hatton is 1st. Treasurer depute.

2dly Generall of the *Mint*.

3dly one of the Lords of *Session*.

The E. of Athole is 1st. Lord privie Seal.

2dly Lord Justice Generall.

3dly Captain of the Kings Guard.

4thly one of the four extraordinarie Lords of the *Session*.

The E. of Kincaerden is one of the Commissioners of the Treasurie.

2dly Vice-Admirall of Scotland.

And 3dly one of the four extraordinarie Lords of *Session*. Principall offices are the stayes, as it were, of a State, and their distinction is, not so much determined by their objects, as by the proportionable capacities that most of them do require; beside, as in the multitude of Counsellors there is *safetie*, so in the multitude of Officers there is *strength*, and their right distribution, doth not more encourage virtue and reward merit, then it settles the administration of the kingdom by a just ballance, and thereby becometh equallie advantagious, for the peoples good, and the Princes securitie: But humour and ambition doe puffe at such creeping politicks. My Lo. Laud. hath also introduced the abuse of *gifts of the reversions or survivances of places* to children & boys, and such are the gifts to My L. Hatton and his son of the *Mint*-office, to Sr. Charles Erskin and his son of the *Lyons* Office, and

& severall others of that nature; by which continuance of offices, that, at most, used to be conferred *ad vitam*, his Matie, is deprived of that excellent part of his treasure, which, with no expence, rewards virtue best, and is indeed the onely fond of the most obliging gratifications.

The eighth grievance is the *mal-administration and profusion of his Matie's revenue*: The clearing of this head, in its full extent, would require a more prolix & accurate computation, than is proper for my present work; but that I may give it its necessarie evidence & also discover, more fullie, the fruits & effects of *My L. Lauds*. ministrie, I shall onely here sett down, in generall, first what summes of money he and his three friends have got in donatives: and 2dly. what summes they receive yearlie by their places and pensions, as hath been made appear on severall occasions by a particular condescendence. *My L. Laud*. then, hath got in donatives within these few years no lesse then 26900. lb. st. and may be reckoned to have yearlie since the year 1669. that he was appointed Commissioner, 16350. lb. st.

My L. Hatton hath got in donatives to the value of 15300. lb. st. and hath moreover yearlie 1196. lb. st., beside he hath the profits of the Mint and bullion, which last did render in *Kings James* his time 1000. marks Scots weeklie amounting yearlie to 2500. lb. st.

The *E. of Athole* got latelie by fines 1500. lb. st. and possesseth yearlie 1450. lb. st.

The *E. of Kincaerdens* gettings by reason of the nature of his gifts and places, cannot be so easilie computed, but that they must be very considerable, by his generall gift of Wards and Marriages, which he hath had above these three years, may be evidentlie gathered, from the benefit that he hath made, by some of those particular obventions, which have been compounded for by him, at, or above, the rate of a 1000. lb. how much then may be reckoned, by all that fall over the whole Kingdom? he got also the gift of a ship wrackt in Schetland. As for his yearlie incomes, beside his pension as one of the Commissioners of the Treasure, he hath also all the perquisites of the Admiraltie, and yet over and above should have had by the gift of the Salt, at least, 2000. lb. yearlie. Now whether these be not excessive largesses,

to such persons, for such services, and in the more *honest* then *opulent* Kingdom of Scotland is easie to be judged: I grant I have included in the totall of My L. Lauds. yearlie summs, the pension of 500. lb. st., which he procured, out of our Exchequer, to his Dutchesse, when she was onely Countesse of Dysert, and nor his married wife; but I suppose that their then circumstances being considered, the error will be excused, with lesse pain, then it would have been for me, to make the distinction. I need not here subjoin how that, beside these above-mentioned summs, almost all pensions and gifts have been bestowed, these years bypast, according to his Graces pleasure; his power in our affairs being in effect an omnipotencie, this part of it is not to be doubted, onely it is to be regrated, that in all these excessive givings, so little respect hath been had to those, who have merited most of his Matie, both by their actings and sufferings. But the thing, that I esteem more worthie to be noticed, is that although since his Maties restitution, his revenue in Scotland hath been much above the double of what it was before, and though his casualties have been exacted with abundance of diligence, and great and vast summs otherwise levied by fynes, taxations, and assessments, without the least burden, either of monies exported for his Maties use, or of forraign warr; yet, through a strange misgovernment, hath all been wasted, and consumed, at home, without any visible improvement, for the publick good, or so much as the provision of one freggat, for the defence of our coast, or convoy of our merchants, in these times of warr.

The 9th. grievance and fountain of all the rest is *My L. Lauds. excessive greatnesse*, farr above what, either the Kingdom, or himselfe can bear; I have already observed, how that before he was Commissioner, he had, by reason of his being our *sole Secretary and Court-Minister*, the absolute rule and dispose of all our concerns; an interposition ungratefull enough, to a people, so affectionatlie, dutifull to his Matie. I have also marked, with what a severe jealousy, he debarred all Scotchmen, from any access or opportunitie, so much as to speak to his Matie, otherwise then he pleased; a practice no lesse disserviceable to his Matie, then disobliging to free fellow-subjects: I might in the 3d. place

place add, that, as his Maties necessarie absence hath occasioned to us the unhappinesse of My L. Lauds, domination, so his Graces absence also, for the most part, at Court, doth further subject us to a more base, & disingenuous dependence, upon his ceatures & favourits, nay oftentimes, even upon his servants, with whom it is well known, that men did ordinarilie transact, for the obtaining and expeding of gifts and signatures, & that it was, especiallie by his Graces servants, that personall protections to debtors, were most abusivlie impetrat: But seeing the greatest part of what I have said, hath been, to sett forth the miserable issues of Lauderdaills obscuring and eclipsing grandour, I shall in this place, onely note, how by his exaltation to be his Maties Commissioner, this noxious exhalation came as it were to be consolidat into that malign meteor which hath reduced us unto the afflicted and disconsolat estate in which we doe at present languish. I need not repeat, that it was for the attaining to this high, and unaccountable power, that he devised the calling of this Parlt., upon the pretext of an Union, no lesse groundlesse in its project, then vain in its successe; nor shall I resume, by what means, and for what emptie reasons, the Parlt. hath hitherto been kept current: That the office of *Commissioner* is a thing, altogether extraordinarie, & onely warranted by the particular occasion, & speciall effect for which he is ordained, is a point so certain, that to affirm the contrarie, would be no lesse, then a treasonable attempt, to subvert the very foundations of this free Monarchie; when in former times Commissions of this sort, were granted (which yet we doe not find to have been in use untill after King James his going to England) both the Commissions and the Parlt. used to be terminated in one *session*; the first that adventured, upon the innovation of adjourning Parlt.s. for a long time and, continuing his Commission in the intervall, was the E. of Middleton; and yet, notwithstanding of all the high strainings, that were then in fashion, and that the Earles worke, could hardlie be sooner complected, this same Lauderdaill did, so farr resent it, as to make Middletons drawing out of his Commission (though for litle more then two years) an article of his accusation. But now that My L. Laud. hath himselfe got into the power, he hath presumed to protract it, now more then four yeares and a halfe, with so litle appearance of any necessitie, that on the contrair, we plainlie see, how that he hath, both hin-

dered the Parlt. proceedings, and endeavoured to frustrate all its late meetings : which, as it is a manifest violenting of the ancient, and naturall constitution of our government ; so the unnecessarie continuance, and arbitrarie and frequent long adjournments of this Parlt. ; hath contributed exceedinglie to the increase of our burdens, and distresses. But the truth is, that such hath been his deportment in this eminent trust, that it is now become his best securitie ; and what at first his *ambition* did proudlie contrive, his *conscience of guilt* doth now oblige him, no lesse tenaciouslie, to maintain : so that our remedie and relief in this our desolate and abandoned condition, remains onely with God, and his Matie, in the return of their favour.

From which consideration, as much as for the obviating of misinformation, it pleased the D. of Hamiltoun, and Earle of Tweddel, with some other Gentlemen, after the adjournment of the Parlt. in Decr last, to go for Court, with the inexpressible good-liking of the whole Countrey, who from their faithfull representation to his Matie, did confidentlie expect, an entire deliverance. But My L. Laud., that he might shew himselfe, no lesse crosse to, then he was averse from, such a loyall enterprise, omitts no obstruction, that he could lay in the way ; and first, by a pittifull fellow in Berwick, whom he had before corrupted to spy and intercept all free correspondence, he causeth seise, detain prisoner, and search Sr William Carnegie a member of Parlt., in his passage through that Town to London. 2dly. having, by the same hand, got some packets intercepted, he very ungentilly transmitts them to Court, and without respect to the violation done to the common intercourse and good understanding of the two nations, or regard to that tenderneffe, which most men doe retain for their Countreys honour, he obtains for his Inteligencer his Maties. approbation, and a reward of 50. lb. st. out of our exchequer. 3dly. by the same means, and in the same place, he endeavours to affront D. Hamiltoun and his companie, in their passage, by a suspicious questioning of their attendents, and refusing them the conveniencie of a nights lodging, which, how farr it was contrarie to the generositie of the Governour, then absent, and the civilitie of the Citizens, they since fullie

evidenced by that noble reception, which they gave the Duke in his return. And lastlie, My L. Laud. imposes so farr, upon his Maties good nature, as to move him to discountenance a Gentleman, sent before by D. Hammiltoun, under a groundlesse pretext suggested by Lauderdaill, that he had been one of Oliver's Sequeltrators, contrarie to that prudent and benign part of the act of Indemnitie, prohibiting the remembrance of all odious names, whereof his Matie hath been always most tender.

But notwithstanding all these rubbs, and many other discouragements, D. Hammiltoun and E. Tweddell being arrived at Court, doe there very freelie and faithfullie acquitt themselves, in a full and particular account of all things, relating to his Matie or the Countreys interest; I need not here stand, to give the storie by retail; it is like that the impressions were various, but in a word the result was the same, with the period which vve have heard, vvas putt to all the good votes and resolves of the English Parlt; howver having had the good fortune to hear accidentallie of a letter, and afterwards to see its double, vvhich, I am crediblie informed, vvas delivered unto his Matie, much about the time that our Lords vvere there, I have thought good, here, to sett down, for publick satisfaction, its just transcript. The addresse of the letter vvas, *To the King*, and its date and tenor as followeth.

Edenburgh, Jan. 27. 1674.

S I R,

Let the obscuritie of the person, with the zeal of his affection, excuse the manner, & maker of this addresse; I protest, as in the presence of God, that it is without the privitie, or knowledge of either partie, and nothing lesse, then the important concern of your service, and the Countreys peace, could have constrained to it.

I need not lay before your Matie, the many abuses that Scotland hath of late suffered, The universall and most pinching grievance of the Salt, with these of the Brandie and Tobacco are confessed, and redressed: Neither are these that remain, lesse manifest, to wit, ignorant and insufficient Judges, a light and base coine, generall gifts of Wards & Marriages, generall gifts of the pains of penall statutes, the accumulation of eminent offices upon single persons, & these also

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such as are of small merit, gifts of the reversion or survivances of offices, invasions upon propertie and libertie by the impetration of private letters, unnecessary, long and frequent adjournments of Parls, the continuing of a Commissioner in the intervalls of Sessions of Parlt., the mismanagement and profusion of your Maties revenue, & lastly, the excessive greatnesse of a State Minister to the exclusion of all others from free accesse & application to your Matie, with the many evils that do thence proceed.

SIR, These pressures are, so heavie in themselves, & have been & are so affecting & disquieting to your poor people, that I am confident, were it possible for you to reflect upon them, without observing by whom they have been procured; your Maties Justice would not sooner prompt you to the remedie, than to a strict enquiry and animadversion against their authors, yea move you, even in the first place, to call out, with *Ahasuerus* upon like occasion, Who is he and where is he that durst presume in his heart to doe so? But seeing that your Matie, in your unparalleled goodnesse, doth seem rather to incline to a gracious reliefe with a healing composure of all differences, than to notice past misdemeanours, I shall onely in all humilitie presume to say, that whatever may be your royall clemencie, yet certainlie the causers of these wrongs cannot be the fitt instruments of an effectuall and satisfying redresse.

Your Matie is not unacquainted with the untoward & crosse proceedings of the last Session of Parlt: If your Commissioner was so uneasy, and disobliging, in his interruptings, and adjournings, when nothing was craved, but the remedie of such things, which both your Maties service, and your peoples cries, did instantly demand, can it be expected, that in the things that remain (so much the more grievous, and unjustifiable, that he and a few of his friends are mostlie therein interested) he will be more complacent? Nay Sir, it is evident as the light, that all the repugnancie, that he hath hitherto shewed, with his high pretendings, and stretchings of your Maties prerogative in the institution of the Lords of the Articles, beyond what the nature and dignitie of Parls will bear, hath plainlie been to prevent the progresse of your Parlt. to this tryall. The just and necessarie motions for examining his Brothers coine, and the Lords of Session, whereof the weakest are his friends, did provoke him to an abrupt ad-
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Journment; since that time what arts have been used, and what methods practised, for gaining particular persons, and strengthening of the party, is too well known to all, to be unknown to your Maie. He hath indeed thought good to anticipate the Parli. in the matter of the Mint, but in a way so partiall, and elusorie, that whether your Maie, your Parli, or your people be thereby most injured, is hard to be determined. So that, upon the whole matter, considering, that things in controversie doe purelie respect your peeples good; and, on the one hand, are prosecuted, with the most legall intentions of such; who have allways been faithfull to your interest; and yet, on the other part, are still opposed, with obstinate partialitie, and untractable humours; It is beyond all question, that the ensuing Sessions, if holden by the same Commissioner, will necessarilie be attended with the former, if not greater heats and disorders. I can not also forbear to tell your Maie, that hitherto your people are perswaded, that in all their sufferings, your Maie hath been more abused, and imposed upon than they, themselves; how expedient then it is, that this perswasion should still continue, and that these incident errors of government should be at least genilie expiated, by fixing them upon the true authors, your Maie, who hath allways valued your selfe so much upon your peeples affections, can onely best judge; seeing therefore that your people have been oppressed, by a malversation not more irritating in its effects, than in the obstinacie wherewith it is defended; and that they expect relief from your royall goodnesse, with an assurance not to be disappointed, without a very surprizing confusion, and lastlie, seeing nothing is desired, or intended in order to the D. of Lauderdaill, to which he himselfe ought not, both in dutie, and prudence most readilie to agree; let these in all humilitie sollicit your Maies transcendent bountie, to consider the following proposalls, which are not more easie in themselves; then they will prove most effectuell, at once, to dissipate all evill appearances, and restore to this your ancient Kingdom, that serene peace, which will make our affection and dutie again to flourish, in most significant acknowledgements.

1 First That a new Commissioner be named, and appointed to hold the next Session, and conclude the Parli.

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2 That

2 That the D. of Laud. be confirmed in his places of President of the Councell, and one of the Commissioners of the Treasurie, and have your Maties indemnitie ratified in Parlt. for all things past.

3 That there be two Secretaries named, and appointed to reside at Court, per vices, for your Matie: impartiall information in all affairs.

4 That the other eminent offices, be duelie distribute and conferred upon deserving persons.

5 That the Commissioners of your Maties Treasurie, with such as you shall be pleased to add to them, be appointed to consider the revenue, and its charge, with the best means for its regulation, and improvement and to report.

6 That men, knowing in the law, and otherwise well qualified, be named to the vacancies that are, or may be, in the Session through the removall of such, as the Parlt., on tryall, shall find to be insufficient.

7 That necessarie instructions be given to your Maties Commissioner, for the due redresse of all other grievances, and also for quieting and removing dissatisfactions, in matters ecclesiastick.

8 That there be past in Parlt. an act of oblivion and indemnitie for the establisbing of the mindes of all your good subjects.

SIR, These things, which may be almost, as soon done, as said, will infalliblie prove the high advancement of your service, and firm scilement of this Kingdom; to which I hope that an excess of favour, to any one single person, shall never preponderat. Sure I am, were it possible, that your Matie could be but for one day an unseen observer, amongst us, of the present posture of things, and disposition of persons; you could not, without wonder, think, how that any pretending to loyaltie, should have obstructed these, or such like remedies as are here proposed: I might also here offer to your Matie more serious thoughts, a passage recorded 2 Sam. 19. 5. 6. 7. and recommended by the suitablenesse of some of its circumstances, to the present case; but since I am farr from thinking, that the D. of Laud. is to your Matie as Absolom to David, or that the discontents with us are so dangerous or threatening, as is there intimated; and seeing I doe as little know, how to separat Iob's militarie and rude passion, from his duefull and Zealous affection, I trust that God shall by more gentle and sweet influences, incline your Matie to arise and speake comfortable to your servants.

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The words of the passage, hinted at in the close of this letter, are, these And Joab came into the house to the King and said thou hast shamed this day the faces of all thy servants, which, this day, have saved thy life, and the lives of thy sones, and of thy daughters, and the lives of thy wives, and the lives of thy concubines, in that, thou lovest thine enemies, and hatest thy friends: for thou hast declared, this day, that thou reguardest, neither Princes, nor servants; for, this day, I perceive, that if Absolom had lived, and all we had died, this day, then it had pleased the well; now, therefore arise, goe forth and speake comfortable unto thy servants: for, I swear by the Lord, if thou goe not forth, there will not tarric one with thee this night; & that will be worse unto thee, then all the evill that befell thee from thy youth untill now.

But albeit, that all mareriall in this letter, was pressed by these Noblemen, and many other things represented that might have tended to the good of the Kingdom, such as *a digestion of our laws and rules of judgement*, formerlie mentioned, *a release of all arriers of Taxation and Sesse preceeding the year 1665*, *a discharge of the annuities of tithes*, and *a settling of the order of Parlt. according to known rules and presidents*; And lastlie that nothing was omitted that might give a satisfieng evidence in every point, yet My L. Lauds. suggestions and influences. doe more prevaill, & D. Hammiltoun is dismissed with fair words: However it being promised that the Parlt. should sitt at its day and grievances be redressed and also a period putt to My Lo. Lauds. Commission, My L. Hammiltoun haistens homeward, with extraordinarie difficultie, in respect both of the rigour of the season and the infirmitie of his health, to attend its dyet on the 3d. of March, which was the very next day to that of his arriveall: But instead of a session so much expected, by the people and all the members of Parlt. (who had now waited about four moneths and were better convened then at any time before) all, doe meet with the disappointment of a blunt adjournment, unto the 14. of Oct. next, and accordinglie the Parlt. is adjourned.

After these our more formed and generall grievances, I might here subjoin, some smaller notices, relating to My L. Lauds.

way and behaviour, not impertinent to the things that we have all readie heard, such as, first, his arrogant undervalue of Parls., discovered by that expression to his Matie. against the E. of Midletons services, *Sir, if you had sent down a dog with your commission about his neck to your Scotch Parlt. he would have done all that E. Middleton hath done.* 2dly. his insolent treating of some members, in this present Parlt., as when he commanded one *Mr William Moor* tummarilie to prison, because, I think, he desired that after the order of the English Parlt. Acts might be, at least, thrice read, before they were voted, or somewhat to this purpose; and in his course style asked another, for having in his modestie said, *We for I, what Sir are there any myce in your arse?* 3dly. his contemptuous flighting of D. Hammiltoun, and most of the antient nobilitie of greatest interest and consideration in the Kingdom, whom he did not so much as allow to be named to be of the number, of the Commissioners chosen for the Treatie of the Union betwixt the two Kingdoms. 4thly. his strange inconstancie, in his friendships acted meerlie by his humour or advantage, as witness his dealings with the Earles of Rothes, Tweddell and Argyle, Sr Robert Murray, D. of Ormond, E. Shaftsbury and others, whom according to occasion he hath, both caressed with open flatterie, and rejected with proud prejudice. 5thly. his regardlesse neglect of the countreys interest, to gratifie indigent or covetous persons of his dependence, by procuring for them gifts of the pains of penall statutes, as to Sr John Moncrieffe a gift of the pains of non-conforming within the Shires of Perth and Fyfe. To . . . Scot of Ardross and Major Borthwick, a gift upon the Maltmen and Brewers; and to the same Major Borthwick another vexatious gift, called *ordinarilie of peck and vole.* 6thly. his prophane complement to the Archbishop of St Andrews, coming one day to visit him, *Come in, My Lord, sit down here at my right hand untill I make all your enemies your footstool.* 7thly. his dull and malicious Iestings, against his old practices, and acquaintances, as when one day at his table, he said, he could pray as well as any Nonconformist, and so begunn a long complaint to God of covenant-breaking and other sins to their derision; and when at other times he hath insulted over them in their appearances, before

before the Councell, by a reproachfull remembrance of by-past courses, so that some of them have applyed to him the old remarque *omnis Apostata sua secta osor*: But it is not to these onely that he confines this humour, he makes it serve also in other occurrences, as when it was said about grievances, that they ought not onely to be redressed, but prevented for the future, he answered with much noise, *that this was like an overture of the Commission of the Kirk, &c.* as if in effect his fancie were lesed with the remains of his old hypocrisie. But passing these things, that may favour of a design of personall reflexion, which is trulie farr from me, it may be to better purpose to suspend a litle the closure of this relation, in two more important remarques.

The first is, that in the first session of this Parlt, and for its first Act, his *Majties* Supremacie was enacted, whereby it is declared not onely that his *Majtie* hath the supream authoritie over all persons and in all causes within this Kingdom, and that by virtue thereof, the ordering of the externall government, and policie of the Church, doth properlie belong to him; but that his *Majtie*, and his Successors may settle, enact and emitt such constitutions, acts, and orders, concerning all ecclesiasticall persons, meetings and Matters (a word infinitlie extensive, comprehending the all of Religion) as they in their royall wisdom shall think fit. It is true that this was unanimeslie consented to by the Parlt., and it is as well known, that all that the Parlt. had in view, was the establishing of his *Majties* power and authoritie, for the better confirmation of a litle indulgence, then latelie granted to some Non-conforming Ministers, and the more effectuall checquing of the *loyall Clergies* murmurings, who pretended to a *Negative* in these affairs. But that the D. of Laud. had quite another design, in the passing of this Act, even the raising of his own credit and consideration at Court, and the aggrandizing of himselfe, by an accession to that power, whereof he then had, and still hath the sway, did quicklie discover it selfe, in its first application, directed against the Archbishop of Glasgowe: for My L. Laud. having conceived an irreconcilable grudge against this gentleman, mostlie, because he had on some occasions addressed himselfe to the King, otherwise then by him, the poor Bishop is menaced, to have articles exhibited
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against him, before the Privie Councell, and thereupon is constrained, to dimitt; but this is not the sole Act, wherein My L. Laud. hath proposed to himselfe the same aim: I have already shewed, how that the Act. 1663; entituled *an Humble Tender, &c.* and offering 22. thousand men to his Majties service, was especiallie of Lauds. framing, & it is very well known, howv at Court he hath often since that time valued himselfe very highlie, upon it: But novv being Commissioner, his industrious advancement of what at first, was, onely more generallie agreed to, doth exhibit a more satisfying discoverie, and therefore we see, vvith vvhat care, in the very next Act to that of Supremacie, he goes about to settle the Militia, not as a simple Countrey-conceit, for the better training of men to the use of Armes; but upon the more *martiall basis*, & for those more *noble ends* of the former Act, & *humble tender*. I vvill not, for all this, say, that at that time he had in prospect, the great things vvhereof he hath since been suspected, yet I make no doubt, but, that even then, he looked upon the Supremacie & the Militia, so settled, &, in a manner, both in his own hand, as being the Kings Commissioner, as *two brave leading cards*, vvherewith such a Court-gamester as he, in the many chances, and changes, that do there happen, might sometime or other come to do *mightie feats*. I love not to heighten, let be to creat, jealousies, nor have I any facultie in the search of *hidden and dark* counsels; & therefore do very unwillinglie take up, or assent to, vulgar reports of My L. Lauds. after-engagements, in arbitrarie & popish projects: Nevertheless, such indications, as runn into a mans eyes, can hardlie be dissembled. It may then, be remembered; that, vvhen in the summer 1672, the Cabal at Court vv as in its *ascendent*, & Laud. got to be on the top of it, and that matters in England vv ere come to a very manifest *crisis*; My L. Laud. about the same time goes for Scotland, and there procures a new Act of Militia to be made, *statuting that all persons, who should be therein enrolled, should be entirelie reserved for that employment, and that both Officers, and soldiers should take the oath of Allegiance* (vvhich vvith us includes also the Supremacie,) and is, I suppose, a *sacramentum militare* vvithout a president) and by another Act he obtains, to be imposed a twelvemonths assessment, to ly for a stock of money for
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for their provision, and that upon this expresse narrative viz. *That as the Kingdom of Scotland will cheerfullie hazard their lives, and fortunes, in the warr against the Dutch, or any other cause wherein his Maties safetie, honour, or interest may be concerned: So in order thereunto, they have so seiled the Militia, as the forces of the Kingdom, may be in readinesse, when ever his Matie shall be pleased for these ends to make use of them.* Which things in Scotland and England being laid together, & the strange twiltings of the *Supremacie* that makes so large a surrender of matters of Religion, with these Acts of *Militia & Maintenance*, declaring a readinesse for any expedition, &c. being well weighed; I think, it may warrantable be affirmed, that if there was any extraordinary design at that time in agitation, My L. Lauds. hand, in probabilitie, was deepest in it. Neither can the Parlt. concurrence, in consenting to these Acts, be pleaded for his excuse: For as much as it is certain, that their pure and single intent was, a dutiful expression of their loyaltie, for which they have always judged, that no words capable of a fair signification, could ever be too significant. I need not adduce their unacquaintednesse with secret transactions for their purgation; he that can imagin, that Scotland would have consented, to that heave assessement, out of any other motive, then their absolute & implicate affection to his Matie, let be in any thoughts of favouring Poperie, is widelie mistaken, both of our *riches and religion*: And therefor it may well be concluded, that as the ill favoured aspect, of the Act and *Humble Tender &c.* and Acts of *Militia* ensuing on it, toward England, with their ill contrived alternative, or for any other service wherein his Maties honour, authoritie, or greatness may be concerned, were at first the dictates of Lauderdaills vanitie, and have often since been the boastings of his ambition; so they do plainlie enough evince, his black accession to those other mysteries, whereof he hath elsewhere been accused.

The 2d. remarque shall be, concerning My L. Lauds. administration in Church affairs. It is not necessarie to remember how that E. Middleton in his Parlt. thought fit, to correct the rigour of Presbyterie, by the heights of Prelacie, & what a severe vengeance of conformitie, the Bishops did thereafter execute, upon the whole Countrey, for their former compliance with, and re-

tained affection to their brethren of that ministrie: O when small Princes know, wherein the true power, and peaceableness of the Gospell doth lye; & deliver themselves & their people, from the *pedantrie*, & *hypocrisie* of all Church-pretenders! However the extreme distresse, whereinto these Episcopall persecutions had brought the Countrey, did in the year 1669 (as I have before related,) move the compassion of some more moderate persons, to obtain for it the ease of that small indulgence, that was then granted, for the better establishment whereof, it was supposed (as I have said) that the *supremacie* was thereafter in Parlt. enacted. But that the Countrey might the better relish this favour, and know how to discern his Maties, from his Commissioners Grace, it pleased My L. Laud. that in the year 1670., conformitie should be again commanded, and pressed by new Acts of Parlt, and those, in my opinion, of a greater severitie, then the highest points in Christianitie could have allowed: For by the fifth Act of that Session (as also by the 17. Act of the 3. Session) it is statuted, that *no Non-conform-Minister, not licensed by the Council, or other person, not authorised by the Bishop, shall (so much as) pray to God in any meeting, except in their own houses, and to those of their own families, and such as shall be present not exceeding the number of four, and that all accessorie to the contrarie, shall be guiltie of keeping conventicles, and punished with the pains there specified, the Article of the Apostolick Creed I beleve the communion of Saints notwithstanding.* 2dly. by the same Act, it is declared, *that whosoever without license or authoritie aforesaid, shall preach or pray at any field-meeting, or in any house, where there be more persons, then the house contains, so as some of them be without doors (who may be onely two or three, and posted there by malice) or who shall convocate these meetings, shall be punished with death, and confiscation of their goods, and the Seizers of such persons, are not onely indemnified for any slaughter that shall be committed, in the apprehending, but also assured of 500. merks Scots of reward, for each person by them seized and secured;* so mortall a thing is this field-conventicling, the Messe and all its idolatrie hath nothing in it so deadlie. 3dly. by the 6th. Act of that Session, there are considerable pecuniall pains ordained against disorderlie baptismes, such as those

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are reckoned to be that are performed by outed Ministers not licensed, or by any other then the parish Minister, without his certificate, or, in case he be absent, the certificate of one of the neighbouring Ministers. 4thly. by the 7th. Act, it is appointed, that all his Majties subjects of the reformed religion (for Papists, that are without, God Judgeth) shall attend divine worship, in their own Churehes, under the pecuniall pains there mentioned toties quoties &c. and in case any landed man, shall withdraw for the space of a year, notwithstanding their being therefore tullie fyned, they are to be presented to his Majties Councell, who are authoris'd to require of them a bond not to rise in arms against his Matie, or his Commissioner (as if a man could not be so far dissatisfied with a pittifull Countrey Curat, but he must also be suspected for disaffection to his Matie) which if they refuse, or delay, they are to be imprisoned, or banished, and both their single and life-rent escheat doth immediatlie fall to his Matie. And lastlie by the 2d. Act of that same Session, it is statuted and ordained that all persons, thereto called by the Councell, or others having his Majties Authoritie, are obliged in conscience (very fair) and dutie, to declare and depose upon oath, their knowledge of any crime, and particularlie of any conventicles, and of the circumstances, of the persons present, and things done therein; may not then any one be brought from the streets, and urged to become, upon oath, informer, accuser or witnesse upon all, that he ever saw or heard in his life, against himselfe, his friend, father and all men else; or if he shall be so perverselie wicked, or disloyall, as to refuse or delay, he is to be punished by fyncing, close imprisonment, or banishment by sending him to the Indies, or elsewhere as the Councels pleasure; sure I am the Spanish Inquisition hath no broader warrant. And yet notwithstanding all these, My L. Laud: by a new act of the 3. Session of this Parlt procures the execution of the above-mentioned Acts against conventiclers and withdrawers from publick worship to be enjoined to all Sheriffes and Magistrats, with an expresse provision that they should render an account yearlie of their diligence under the pain of 500. merks Scots.

But all these great efforts, of My L. Lauds: zeal against Phapaticks, proveing by farr lesse successfull, then that little specimen of his

Maties. clemencie, whereunto Lauderdaill, had been by others inclined, and it having pleased his Matie., in the year 1672. to gratifie his Protestant subjects in England, with his royall goodnesse, he thinks meet at the same time to extend it, of new, to Scotland; and therefore gives to his Commissioner, then amongst us, all necessarie instructions, for compleeting this worke: But his Grace being now quite freed, from all those good influences wherewith sometime he had been acted, by a very uncourteous, & rude application, sadlie marres his Maties. kindenesse, and frustrats its best end; for as much, as in place of that gracious reliefe, which, no doubt, was intended by his Matie., for all his non-conforming good subjects, whether ministers, or people, he plainlie turns this new Indulgence, into an universall confinement, of the whole non-conform Ministers, unto some Parishes in a corner of the Countrey, leaving the rest *as dry or wet*, as the ground, about Gideons fleece, and that, with such a scornfull inconvenience (besides some other scrupling conditions that were also imposed) that to severall small parishes, having not above a thousand communicants, and 900. or a 1000. merks Scots, of stipend, he causeth to be appointed, three or four ministers, contrair to all Just proportions, and onely with the ridiculous equalitie; of *as litle cure as litle sallarie*. Neither is he content to have thus cantonized those that were licensed, but even they that had none of his Maties. favour, must yet be made partakers of his Graces mercie, and therefore, it is further ordered, that all other non-conform ministers not licensed, should either conform, in the places of their dwelling, or else, before a certain day, repair to and reside in the Parishes whereunto ministers licensed are appointed: I shall not say, that his Grace did thus restrain and clogg this Indulgence, because that the Councell, upon a letter which he had before sent them down, from his Matie., to know if Papists might also have some tollerance, returned their advice that, they thought it neither necessarie, nor expedient; but it is obvious enough, that if Papists had been made partakers of this intended favour, it must of necessitie have been shaped out, and moulded, by some more easie regulation. And yet, as if by this concession, there had been accumulated upon the Phanaticks, a bountie to which nothing
could

could be added, it is declared in the conclusion of the Councels Act, that they were not to looke for any further enlargement, but that the laws for conformitie were to be strictlie executied, against all contraveeners; but the truth is, there was another motive, for this certification; his Grace knew very well, that not only the generalitie of that scrupling partie over Scotland, were litle obliged, by their being, in a manner, excepted from this his Maties. Grace, which often makes men, that before were unconcerned, to become more curious; but that some of them, who were now deprived of the libertie which at first was allowed to them, were thereby much irritat: And therefore he, in time, provides this colour for the executions that might again ensue. And truelie, if I were to form conjectures of mens designs, on the measures, that visiblie appear to have been taken, in this sorrie contrivance, I verily think, that all the specious commendations, wherewith it was magnified, would scarfelie, make me forbear to say, that its *restrictednesse and uneasinesse*, seem rather to have been intended for the marring, then any thing else, for the promoving of its successe. It is sufficientlie manifest to all ingenuous men, that, the non-conformists, for all their scruples, are not onely sincerelie, and securelie loyall, but in effect, fullie as gentle and tractable, as can rationallie be expected, from those principles, wherewith the *Indulgence* it selfe imports a dispense: Besides if dispersion & the removing of the grounds of complaints be (as no doubt they are) the most effectuall means, to quiet such opinionative distempers, what could have been more promiseing, then to have disposed upon the small handfull of outed ministers, that remain, either by returning them all freelie, to their own churches, or leaving them to settle, as fair invitations should have determined. But alas, who sees not the strange consequences, that would have ensued; if all wild beasts were once tamed, hunters and their sport would be utterlie spoiled, and a quiet and satisfied Kingdom, secured from almost the possibilitie, of forraign invasion, would need no more any *standing* forces, farr lesse a *standing* Commissioner; and how should this poor countrey, after so many vexations, have endured so great a losse. But that his Graces well disposednesse, in affairs of this kinde, may be the bet-

ter understood, there is one instance of it, that I can not here omit and it is thus; A litle before this Indulgence was granted, there were two countrey gentlemen, Hay of Ballhoullie and Drummond of Meggins, brought in question, for this *flagitious impertinencie* of conventicling; the qualitie of their guilt was, that the first, had, indeed, had privat meetings in his own house, but the second was onely charged, with his wife and daughters transgression: However, his Grace having thought good, immediatlie upon the delation, to make over their fynes, unto his favourit the E. of Athole, and the gentlemen forseing, that to make the gratification suitable, there was no lesse, then the utmost rigour to be expected; they judged it best, to abandon their own defence, for a friendlie transaction, & therefore, casting themselves on the Earles discretion, they aggrie with him in writinge, the one to pay him 600. *th. st.*, and the other 400. *th. st.*; but when they appear before the Councell, My L. Laud., not content with what Athole had done, very arbitrarlie and exorbitantlie, procures the sentence to be augmented, against the first, to a 1000. *th. st.* and against the other to 500. *th. st.* whether more generouslie, towards his friend, who had got before, all that he had demanded, or more justlie towards the gentlemen, who relying upon the aggrivement, had prepared no other defence, let the world judge. I might also add another example of his Graces moderation, in causing the Countesse of Wigtoun, a widow Lady, and otherwise cloathed with all the favourable circumstances, that could be desired, to appeare in person, before the Councell, to answer for privat meetings in her own house, and to be fyned in the summe of 5000. merks Scots; thereby shewing an impartialitie not to be byassed with any courtesie. But to return to our purpose, I need not mention particulars, for confirming of what I have said, of the errours committed, in shapeing out this *Indulgence*: Its misadventure, as to the composinge of matters, whereunto it pretended, hath afforded, both to his Maties Councell, and to the Ministers licensed, too much unpleasant exercise, in citations, examinations, and reiterat orders, to leave it in the least doubtfull. The thing, more worth our noticing, is to consider, how fortunatlie the event did fall out, to justifie my suspicion; I touched,
in

in the beginning, what an opportune pretext, when all others failed, these non-conforming disorders did furnish to his Grace, for his last coming amongst us: But because the letter, that he thereupon purchased from his Matie to his Parlt., doth not more hold forth, its true Author, in its unsuitableness to his Maties excellent goodnesse, then exhibit to the world the truest character of My L. Lauds. *goodnesse and sinceritie* in all these affairs, in lines of his own drawing; I shall here sett down at length, some passages of it: But one of the principall reasons of the keeping this session of Parlt, is to the end *effectuall courses*, may be laid down, for curing and punishing, the *insolent* field-conventicles, and other *sedition* practises, which have since your last session too much abounded: You are our witnesses, what indulgences we have given, and with what lenitie, we have used, such dissenters, as would be peaceable, and how much our favours, have been abused. You have made many good laws, but still they have failed in the execution against the *contemners* of the law; we must now *once for all* lay down such *solid and effectuall courses*, as the whole Kingdom *may see*, that we and you are both *in earnest*, and that if *fairnesse* will not, *force must* compell the refractorie to be peaceable, and obey the law. We have had frequent experience of your affection to our service upon severall occasions, and therefore we are confident, you will *eminentlie* doe your dutie *in this* which doth *so much* concern, our authoritie and your own peace and quietnesse: We leave the wayes and means to your own wisdom, and we expect, you will lay down such *solid grounds* & take such *effectuall wayes*, as may put an end, to these disorders & evidence to the world that our antient Kingdom of Scotland, is at quiet and united to us. We have instructed our Commissioner fullie in this &c. & he can well informe you of our constant affection to, & care of, all the concerns, of that our Kingdom, which consideration at this time, hath made us *dispen*ce with him here when his service was *so usefull* to us &c. and therefore you shall give him entire trust, as we have hitherto done in all things.

The text is plain and needs no comment; I shall not say, vvith some Phanaticks, that if the Lord had not unexpectedlie beat down to the earth, this persecutour vvith his letters, breathing out
such

such threatnings, and slaughter, our land might have again been turned, into a field of blood and confusion: Nor vvill I positivelie affirm, that these minatorie strains, vvere purposelie intended, for to overjau the nation, to a more compliant submission, to the introduction of a *Service-booke*, vvhich, it is vvell known, vv as both designed and prepared, and should have been the great businessse, of his Grace his last coming dovvn: But certainlie, vvhoever compares, the expressions of this letter, vvith all their circumstances, viz. his Maties benign clemencie to all innocent dissenters, the Kingdomes unquestionable quiet, from all their disturbances, its great and almost sole distemper from My L. Lauds. ovvn oppressions, the visible necessitie that forced him, at that time, to take sanctuarie amongst us, and lastly the forebearance and insinuation, that he hath since used, tovvard the non-conformists, to ease himselfe of a part, at least, of that universall odium, vvhich he findes to be against him; must inevitablie breake forth in admiration, at this unmeasured boldnesse, of abusing his Maties name and authoritie, to so many extravagancies. These have been his vvayes in the Church, so like, in every step, to his actings in the State, that they neither could have any better successe, nor can receive a milder censure. But novv his Grace, haveing rode out this storm of grievances, delivered himselfe from Parlt, and defeat all his enemies, in order to his return to Court, resolves (as it is probable) to give the Kingdom a prooffe, both of his ovvn free and unconstrained benevolence, and also of his great povver and interest vvith his Matie, and therefore, there is a letter produced, from the King to his Councell, bearing, *that his Maties affection for us, makes him readie to embrace all occasions, whereby he may witnesse his zeal, to doe all things, which may be for our advantage, and ease; and that being informed, by his Commissioner, of some things which have been, & still are, troublesom, & burdensom to us, he hath thought fit, in his royall bountie, and by his royall authoritie, to declare, his royall pleasure for the discharging of all impositions, due before his restoration, all rests of the taxation granted by the Parlt 1633., all arrears of the annuitie of tithes, preceeding the year 1660., and all fynes imposed by his Maties first Parlt, excepting allwayes from all these, all summes of money allreadie paid, or for which bond is given*
preceed-

preceeding the date of the letter: And lastlie his *Matie* doth grant, a generall pardon and discharge, of all arbitrarie and pecuniall pains, incurred before the date of the letter, extending even to those against *Conventicles*, withdrawing from ordinances, disorderlie baptismes and marriages, excepting neverthelesse, all capitall crimes, and sentences of banishment, imprisonment, or confinement. Upon this letter, there being a proclamation voted and formed by the Councell, it was the next day made, with the solemnities of the Magistrats in their robes, the citizens in arms, ringing of bells, shooting of guns, publick feasting, bonefires, & all other ceremonies, that were used, in the most extraordinarie occasions of joy: I shall not insist on the peoples wonder, at the vain pomp, of these circumstances, who could finde nothing suitable in the subject; nor on the criticizing of the more maligne sort, who regretting, that his *Maties* affection & zeal for our good, should rather have been directed, by My L. Lauds., scant and partiall suggestions then by the full and faithfull advice of his Parlt., observed first, that the exception in the discharge, of the rests of impositions, taxations and synes, was infinitlie broader, then the release it selfe, the countrey haveing, now for 13. years, been so vexed and harassed, for these things, that there is nothing left to be discharged, save a few desperat, and irrecoverable remains. 2dly. that a generall pardon and discharge of arbitrarie and pecuniall pains, is an ordinarie grace, customarie to be granted in most Parlt., with such a latitude as they think fit to give it. 3dly. that the extension of this pardon, even to *Conventicles* &c. can have no *emphasis*, unlesse we suppose, conventicling & non-conconforming, to be worse then Sabbath-breaking, profane swearing, drinking, whoring, userie, extortion, and the like. 4thly. that the exception of *banishments*, *imprisonments* and *confinements*, wherein a few Phanatick ministers are mostlie concerned, appears to be an unseasonable reserve of a peevish rigour: and 5thly. that the style of the proclamation viz. *We with advice foresaid, doe hereby statute and enact, and accordinglie discharge, to our subjects, all rests and assessments &c.* is not onely forced but more Parliamentarie then proper for such edicts.

But the thing, we rather remarque is, that just and important exception, moved against this letter and proclamation, by D. Ham-

miltoun and others in Councell, viz. that D. Hammiltoun, having an undoubted right to the taxation 1633., by a contract betwixt his late Matie. and James then Duke of Hammiltoun, and also by a commission from his now Matie, for securitie and repayment to him of a considerable summe of money, the same could not be taken away in this summarie way, without lawfull hearing; upon which exception D. Hammiltoun (as he declared) did not insist, for the value of the thing, but for obviating so dangerous a preparative, to every mans right and propertie; this discharge was overtur'd both by himselfe, and others, during the sitting of the Parlt., and if it had been prosecuted, that way, all mens interests, might have been considered, and also the countrey more effectually secured: But after rejecting of that method, to have made choise of this, was an introducing of presidents, of an evill aspect: And yet albeit it was resolved by the best Lawyers, in a writing under their hands, that Duke Hammiltouns right was unquestionable, that the King in such cases *utitur jure privati*, and that by the fundamentall law of the Land, no mans right could be taken away summarie by letter and proclamation (which plea was also confirmed by the suffrage of the Judges there present) nevertheless it was with extream heat, and pain, that My L. Laud, could be induced to consent to the reserving of D. Hammiltouns right, as we finde it to be done, in the Proclamation. I have before mentioned, the letter impetrat, from his Matie against Mr Roughed town-Clerk of Edinburgh, and the offence which generally it gave, because of the invasion of propertie and libertie, thereby threatned; but now, that My L. Laud. should have again, and thus openlie, and avowedlie, relapsed into so pernicious an error, it doth manifestlie evince, a design of arbitrarinesse, beyond the excuses of either follie or fatalitie.

And yet after this, & all his other high & strange misdemeanors, which I have hitherto related, My L. Laud. had the confidence, to present to the Councell, a letter of answer, to be subscribed by them, and sent up to the King, wherein thanks, are not onely returned for his Maties gracious letter of release, but also for his readiness shewed by his Commissioner, to have rectified all our grievances, that were *orderlie* represented: I will not here take notice

Of the *dissents*, entered by a considerable part of the Councell, against such a groundlesse and imposing practice; as his Grace would delude the common people, by bells and bonfires, and other *emptie and ridiculous shows*, doth he also think, that men of understanding, will suffer their eyes to be put out; is it not enough, that he hath tyrannised over us, with so much pride and oppression, but that he must moreover offer violence to our senses, and not onely obstruct our prayers and cries, to his *Majestie* for his compassion and help, but even endeavour to elicit flattering approbations, and applauses for palliating and supporting these grosse *malversations*; for which neverthelesse, it is beyond peradventure, that so soon as he shall be arrived at Court, he will think fit to secure himselfe, as he hath already done, for his farre inferior transgressions in England, by his *Majesties* remission and pardon?

Certainlie the free consideration of these things, might stirre up, and raise every ingenuous spirit, to the highest measure of indignation; did not his *Majesties* concern, and engagement therein, farre more poverfullie encline, to a dutifull regrete; who can observe, without an astonishing griefe, this Kingdom, lately so overjoyed, for his *Majesties* restoration, and overflowing in all the possible expressions of the most loyall acknowledgements, novv sunke into the saddest depths, of mourning, and darkened, by reason of the withholding of the *rayes*, of his *Majesties* gracious countenance, with clouds of jealousies, which no man is willing to entertain, or yet able to dissipat: And vvhoe can think, without a most sensible affliction, that his *Majesties* most excellent understanding & most benign disposition, in all other occasions, should in these matters of the highest consequence, be so oddelie posselt, with such a strange aversion, to hearken to, a most loyall Part. and to be advised by his most affectionat subjects: And lastly vvhoe can see, (without a confusion, and rising of passions, not to be expressed,) the D. of Laud., a person, so insignificant for the advance of his *Majesties* service, and, of late, become so extravagant and unacceptable, even in his privat deportment and ordinarie conversation with all men; yet, in these publick and great affairs: wherein he hath so vvyldlie miscarried to preponderat, in his

Maties esteem, to the universall outcry of two nations, the un-
 prejudicat complaint of two Parts, and the visible disturbing, if
 not breaking, of the peace and quiet of two Kingdoms; I shall
 not offer at the arts, charms or enchantments, whereby these
 wonderfull things, may be brought to passe, it is but too too
 manifest, that, *where My L. Land.* did sometime stand in the
 most undrissfull difference, & seemiuglie irreconcilable distance,
 he hath of late, since the beginning, of the last Dutch vvarr; and
 the arising of the jealousies, which did commence with it, pro-
 cured to himselfe, so firm a friendship, & so sure a support, that the
 more that these jealousies, and their dissatisfactions, have en-
 creased, the more hath this favour been confirmed, and in-
 tended. But, why should I grope in these suspicious conjectures,
 wherein all good men, doe rather desire, to find themselves
 deceived, then further cleered: Let us rather wish, that his
Maties eyes may be opened, and his heart turned towards this,
 his antient Kingdom, and in the mean time be established, in his
 most fixed assurance, that notwithstanding of all the colours, pre-
 tensions, and insinuations, that *My L. Land.* can employ, for
 the advancing of his particular interest, and ambitious humours,
 against the publick good of the nation, and for the bearing down
 of its best subjects, yet the longed for issue, is as certain as that
 reason is reason and men are men.

FINIS.

READER

I must desire thou would passe over an omission of the Printer in the
 2^d. sheet, which is the letter C. wherein the pages are misplaced; and
 in thy reading follow the last word of each page and the number; what
 other escapes of misplacing of letters, as in the dedication l. ii. and
 ather, for and there and such like, as I know they cannot marre the
 sense, so I hope they shall not incurr thy censure.

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B.M. 1674?

AN ACCOMPT
OF
SCOTLANDS
GRIEVANCES

By reason of
The D. of Lauderdale
Ministrie,
Humbly tendred
To his sacred Majesty.

against him, before the Privie Councell, and thereupon is constrained, to dimitt; but this is not the sole Act, wherein My L. Laud. hath proposed to himselfe the same aim: I have already shewed, how that the Act. 1663; entituled *an Humble Tender, &c.* and offering 12. thousand men to his Majties service, was especiallie of Lauds. framing, & it is very well known, how at Court he hath often since that time valued himselfe very highlie, upon it: But now being Commissioner, his industrious advancement of what at first, was, onely more generallie agreed to, doth exhibit a more satisfying discoverie, and therefore we see, vvith vvhat care, in the very next Act to that of Supremacie, he goes about to settle the Militia, not as a simple Countrey-conceit, for the better training of men to the use of Armes; but upon the more *marriall basis*, & for those more *noble ends* of the former Act, & *humble tender*. I vvill not, for all this, say, that at that time he had in prospect, the great things vvhercof he hath since been suspected, yet I make no doubt, but, that even then, he looked upon the Supremacie & the Militia, so settled, & in a manner, both in his own hand, as being the Kings Commissioner, as *two brave leading cards*, vvherewith such a Court-gamester as he, in the many chances, and changes, that do there happen, might somtime or other come to do *mightie feats*. I love not to heighten, let be to creat, jealousies, nor have I any facultie in the search of *hidden and dark counsels*; & therefore do very unwillinglie take up, or assent to, vulgar reports of My L. Lauds. after-engagements, in arbitrarie & popish projects: Nevertheless, such indications, as runn into a mans eyes, can hardlie be dissembled. It may then, be remembered; that, vvhen in the summer 1672, the Cabal at Court vvvas in its *ascendent*, & Laud. got to be on the top of it, and that matters in England vvcre come to a very manifest *crisis*; My L. Laud. about the same time goes for Scotland, and there procures a new Act of Militia to be made, *statuting that all persons, who should be therein enrolled, should be entirelie reserved for that employment, and that both Officers, and soldiers should take the oath of Allegiance* (vvhich vvith us includes also the Supremacie,) and is, I suppose, a *sacramentum militare* vvithout a president) and by another Act he obtains, to be imposed a twelvemoneths assessment, to ly for a stock of money for
their

for their provision, and that upon this expresse narrative viz. *That as the Kingdom of Scotland will cheerfullie hazard their lives, and fortunes, in the warr against the Dutch, or any other cause wherein his Majties safetie, honour, or interest may be concerned: So in order thereunto, they have so settled the Militia, as the forces of the Kingdom, may be in readinesse, when ever his Majtie shall be pleased for these ends to make use of them.* Which things in Scotland and England being laid together, & the strange twistings of the *Supremacie* that makes so large a surrender of matters of Religion, with these Acts of *Militia & Maintenance*, declaring a readinesse for any expedition, &c. being well weighed; I think, it may warrantable be affirmed, that if there was any extraordinary design at that time in agitation, My L. Lauds. hand, in probabilitie, was deepest in it. Neither can the Parlt. concurrence, in consenting to these Acts, be pleaded for his excuse: For as much as it is certain, that their pure and single intent was, a dutiful expression of their loyaltie, for which they have always judged, that no words capable of a fair signification, could ever be too significant. I need not adduce their unacquaintednesse with secret transactions for their purgation; he that can imagin, that Scotland would have consented, to that heaveie assessment, out of any other motive, then their absolute & implicate affection to his Majtie, let be in any thoughts of favouring Poperie, is widelie mistaken, both of our *riches and religion*: And therefor it may well be concluded, that as the ill favoured aspect, of the Act and *Humble Tender &c.* and Acts of *Militia* ensuing on it, toward England, with their ill contrived alternative, or for any other service wherein his Majties honour, authoritie, or greatness may be concerned, were at first the dictates of Lauderdaills vanitie, and have often since been the boastings of his ambition; so they do plainlie enough evince, his black accession to those other mysteries, whereof he hath elsewhere been accused.

The 2d. remarque shall be, concerning My L. Lauds. administration in Church affairs. It is not necessarie to remember how that E. Middleton in his Parlt. thought fit, to correct the rigour of Presbyterie, by the heights of Prelacie, & what a severe vengeance of conformitie, the Bishops did thereafter execute, upon the whole Countrey, for their former compliance with, and re-

tained affection to their brethren of that ministrie: O when shall Princes know, wherein the *true power*, and *peaceableness* of the Gospell doth lye; & deliver themselves & their people, from the *pedantrie*, & *hypocrisie* of all Church-pretenders! However the extreme distresse, whereinto these Episcopall persecutions had brought the Countrey, did in the year 1669 (as I have before related,) move the compassion of some more moderate persons, to obtain for it the ease of that small indulgence, that was then granted, for the better establishment whereof, it was supposed (as I have said) that the *supremacie* was thereafter in Parlt. enacted. But that the Countrey might the better relish this favour, and know how to discern his Maties, from his Commissioners *Grace*, it pleased My L. Laud. that in the year 1670., conformitie should be again commanded, and pressed by new Acts of Parlt. and those, in my opinion, of a greater severitie, then the highest points in Christianitie could have allowed: For by the fifth Act of that Session (as also by the 17. Act of the 3. Session) it is statuted, that *no Non-conform-Minister, not licensed by the Councel, or other person, nor authorized by the Bishop, shall (so much as) pray to God in any meeting, except in their own houses, and to those of their own families, and such as shall be present not exceeding the number of four, and that all accessorie to the contrarie, shall be guiltie of keeping conventicles, and punished with the pains there specified*, the Article of the Apostolick Creed I beleve the communion of Saints notwithstanding. 2dly. by the same Act, it is declared, that *whosoever without license or authoritie aforesaid, shall preach or pray at any field-meeting, or in any house, where there be more persons, then the house contains, so as some of them be without doors (who may be onely two or three, and posted there by malice) or who shall convocate these meetings, shall be punished with death, and confiscation of their goods, and the Seizers of such persons, are not onely indemnified for any slaughter that shall be committed, in the apprehending, but also assured of 500. merks Scots of reward, for each person by them seized and secured; so mortall a thing is this field-conventicling, the Messe and all its idolatrie hath nothing in it so deadlie.* 3dly. by the 6th. Act of that Session, there are considerable pecuniall pains, ordained against disorderlie baptismes, such as those are

are reckoned to be that are performed by outed Ministers not licensed, or by any other then the parish Minister, without his certificate, or, in case he be absent, the certificate of one of the neighbouring Ministers. 4thly. by the 7th. Act, it is appointed, that all his Majties subjects of the reformed religion (for Papists, that are without, God Judge) shall attend divine worship, in their own Churches, under the pecuniall pains there mentioned toties quoties &c. and in case any landed man, shall withdraw for the space of a year, notwithstanding their being therefore fullie tynd, they are to be presented to his Majtie Councell, who are authorised to require of them a bond not to rise in arms against his Majtie, or his Commissioner (as if a man could not be so far dissatisfied with a pittifull Countrey Curate, but he must also be suspected for disaffection to his Majtie) which if they refuse, or delay, they are to be imprisoned, or banished, and both their single and life-rent escheat doth immediatlie fall to his Majtie. And lastlie by the 2d. Act of this same Session, it is statuted and ordained that all persons, thereto called by the Councell, or others having his Majties Authoritie, are obliged in conscience (very fair) and dutie, to declare and depose upon oath, their knowledge of any crime, and particularlie of any conventicles, and of the circumstances, of the persons present, and things done therein; may not then any one be brought from the streets, and urged to become, upon oath, informer, accuser or witnesse upon all, that he ever saw or heard in his life, against himselfe, his friend, father and all men else; or if he shall be so perverselie wicked, or disloyall, as to refuse or delay, he is to be punished by fyning, close imprisonment, or banishment by sending him to the Indies, or elsewhere at the Councels pleasure; sure I am the Spanish Inquisition hath no broader warrant. And yet notwithstanding all these, My L. Laud. by a new act of the 3. Session of this Parlt procures the execution of the above-mentioned Acts against conventiclers and withdrawers from publick worship to be enjoined to all Sheriffes and Magistrats, with an expresse provision that they should render an account yearlie of their diligence under the pain of 500. merks Scots.

But all these great efforts, of My L. Lauds. zeal against Phanaticks, proveing by farr lesse successfull, then that little specimen of his

Maties clemencie, whereunto Lauderdaill, had been by others inclined, and it having pleased his Matie., in the year 1672. to gratifie his Protestant subjects in England, with his royall goodnesse, he thinks meet at the same time to extend it, of new, to Scotland; and therefore gives to his Commissioner, then amongst us, all necessarie instructions, for complecting this worke: But his Grace being now quite freed, from all those good influences wherewith sometime he had been acted, by a very uncourteous, & rude application, sadlie marres his Maties kindenesse, and frustrats its best end; for as much, as in place of that gracious reliefe, which, no doubt, was intended by his Matie., for all his non-conforming good subjects, whether ministers, or people, he plainlie turns this new Indulgence, into an universall confinement, of the whole non-conform Ministers, unto some Parishes in a corner of the Countrey, leaving the rest *as dry or wast*, as the ground, about Gideons fleece, and that, with such a scornfull inconvenience (besides some other scrupling conditions that were also imposed) that to severall small parishes, having not above a thousand communicants, and 900. or a 1000. merks Scots, of stipend, he causeth to be appointed, three or four ministers, contrair to all Just proportions, and onely with the ridiculous equalitie, of *as litle cure as litle sallarie*. Neither is he content to have thus canonized those that were licensed, but even they that had none of his Maties. favour, must yet be made partakers of his Graces *mercie*, and therefore, it is further ordered, that all other non-conform ministers not licensed, should either conform, in the places of their dwelling, or else, before a certain day, repair to and reside in the Parishes whereunto ministers licensed are appointed: I shall not say, that his Grace did thus restrain and clogg this Indulgence, because that the Councell, upon a letter which he had before sent them down, from his Matie., to know if Papists might also have some tollerance, returned their advice that, they thought it neither necessarie, nor expedient; but it is obvious enough, that if Papists had been made partakers of this intended favour, it must of necessitie have been shaped out, and moulded, by some more easie regulation. And yet, as if by this concession, there had been accumulated upon the Phanaticks, a bountie to which nothing could

could be added, it is declared in the conclusion of the Councels Act, that they were not to looke for any further enlargement, but that the laws for conformitie were to be strictlie executed, against all contraveeners; but the truth is, there was another motive, for this certification; his Grace knew very well, that not only the generalitie of that scrupling partie over Scotland, were litle obliged, by their being, in a manner, excepted from this his Maties. Grace, which often makes men, that before were unconcerned, to become more curious; but that some of them, who were now deprived of the libertie which at first was allowed to them, were thereby much irritat: And therefore he, in time, provides this colour for the executions that might again ensue. And truelie, if I were to form conjectures of mens designs, on the measures, that visiblie appear to have been taken, in this sortie contrivance, I verily think, that all the specious commendations, wherewith it was magnified, would scarce lie, make me forbear to say, that its *restrictednesse and uneasinesse*, seem rather to have been intended for the marring, then any thing else, for the promoting of its successe. It is sufficientlie manifest to all ingenuous men, that, the non-conformists, for all their scruples, are not onely sincerelie, and securelie loyall, but in effect, fullie as gentle and tractable, as can rationallie be expected, from those principles, wherewith the *Indulgence* it selfe imports a dispense: Besides if dispersion & the removing of the grounds of complaints be (as no doubt they are) the most effectuell means, to quiet such opinionative distempers, what could have been more promising, then to have disposed upon the small handfull of outed ministers, that remain, either by returning them all freelie, to their own churches, or leaving them to settle, as fair invitations should have determined. But alas, who sees not the strange consequences, that would have ensued; if all wild beasts were once tamed, hunters and their sport would be utterlie spoiled, and a quiet and satisfied Kingdom, secured from almost the possibilitie, of forraign invasion, would need no more any *standing* forces, farr lesse a *standing* Commissioner; and how should this poor countrey, after so many vexations, have endured so great a losse. But that his Graces well disposednesse, in affairs of this kinde, may be the bet-

ver understood, there is one instance of it, that I can not here omit
 and it is thus; A litle before this Indulgence was granted, there
 were two countrey gentlemen, Hay of Ballhouslie and Drum-
 mond of Meggins, brought in question, for this *flagitium imper-
 rimentie* of conventicling; the qualitie of their guilt was, that the
 first, had, indeed, had privat meetings in his own house, but the
 second was onely charged, with his wife and daughters transgres-
 sion: However, his Grace haveing thought good, immediatlie
 upon the delation, to make over their synes, unto his favourit the
 E. of Athole, and the gentlemen forseing, that to make the gra-
 tification suitable, there was no lesse, then the utmost rigour to
 be expected; they judged it best, to abandon their own defence,
 for a friendlie transaction, & therefore, casting themselves on the
 Earles discretion, they aggrie with him in writeing, the one to
 pay him 600. lb. st., and the other 400 lb. st.; but when they ap-
 pear before the Councell, My L. Laud., not content with what
 Athole had done, very arbitrarlie and exorbitantlie, procures the
 sentence to be augmented, against the first, to a 1000. lb. st. and
 against the other to 500. lb. st. whether more generoslie, towards
 his friend, who had got before, all that he had demanded, or
 more justlie towards the gentlemen, who relying upon the aggrie-
 ment, had prepared no other defence, let the world judge. I
 might also add another example of his Graces moderation, in caus-
 ing the Countesse of Wigtoun, a widow Lady, and otherwise
 cloathed with all the favourable circumstances, that could be
 desired, to appeare in person, before the Councell, to answer for
 privat meetings in her own house, and to be syned in the summe
 of 5000. merks Scots, thereby shewing an impartialitie not to
 be byassed with any countessie. But to return to our purpose, I
 need not mention particulars, for confirming of what I have said,
 of the errours committed, in shapeing out this *Indulgence*: Its mis-
 adventure, as to the composeing of matters, wherunto it pre-
 tended, hath afforded, both to his Maties Councell, and to the Mi-
 nisters licensed, too much unpleasent exercise; in citations, exa-
 minations, and reiterat orders, to leave it in the least doubtfull.
 The thing, more worth our noticeing, is to consider, how fortu-
 natlie the event did fall out, to justifie my suspicion; I touched,
 in

In the beginning, what an opportune pretext, when all others failed, these non-conforming disorders did furnish to his Grace, for his last coming amongst us: But because the letter, that he thereupon purchased from his Matie to his Park, doth not more hold forth, its true Author, in its unsuitableness to his Maties excellent goodnesse, then exhibit to the world the truest character of My L. Lauds. *goodnesse and sinceritie* in all these affairs, in lines of his own drawing; I shall here sett down at length, some passages of it: But one of the principall reasons of the keeping this session, of Park, is to the end *effectuall courses*, may be laid down, for curing and punishing, the *insolent field-conventicles*, and other *sedition* practises, which have since your last session too much abounded: You are our witnesses, what indulgences we have given, and with what lenitie, we have used, such dissenters, as would be peaceable, and how much our favours, have been abused. You have made many good laws, but still they have failed in the execution against the *contemners* of the law; we must now *once for all* lay down such *solid and effectuall courses*, as the whole Kingdom may see, that we and you are both in earnest, and that if *fairnesse* will not, *force must* compell the refractorie to be peaceable, and obey the law. We have had frequent experience of your affection to our service upon severall occasions, and therefore we are confident, you will *eminentlie* doe your dutie in this which doth so much concern, our authoritie and your own peace and quietnesse: We leave the wayes and means to your own wisdom, and we expect, you will lay down such *solid grounds* & take such *effectuall wayes*, as may put an end, to these disorders & evidence to the world that our antient Kingdom of Scotland, is at quiet and united to us. We have instructed our Commissioner fullie in this &c. & he can well informe you of our constant affection to, & care of, all the concerns, of that our Kingdom, which consideration at this time, hath made us *dispen*ce with him here when his service was so usefull to us &c. and therefore you shall give him entire trust, as we have hitherto done in all things.

The text is plain and needs no comment; I shall not say, with some Phanaticks, that if the Lord had not unexpectedlie beat down to the earth, this persecutour with his letters, breathing out
such

such threatnings, and slaughter, our land might have again been turned, into a field of blood and confusion: Nor vvill I positivelie affirm, that these minatorie strains, vv ere purposelie intended, for to overavv the nation, to a more compliant submission, to the introduction of a *Service-booke*, vv hich, it is vv ell known, vv as both designed and prepared, and should have been the great businesse, of his Grace his last coming down: But certainlie, vv hoever compares, the expressions of this letter, vv ith all their circumstances, viz. his Maties benign clemencie to all innocent dissenters, the Kingdomes unquestionable quiet, from all their disturbances, its great and almost sole distemper from My L. Lauds. ovvn oppressions, the visible necessitie that forced him, at that time, to take sanctuarie amongst us, and lastly the forebearance and insinuation, that he hath since used, tovv ard the non-conformists, to ease himselve of a part, at least, of that universall odium, vv hich he findes to be against him; must inevitablie breake forth in admiration, at this unmeasured boldnesse, of abusing his Maties name and authoritie, to so many extravagancies. These have been his vv ayes in the Church, so like, in every step, to his actings in the State, that they neither could have any better successe, nor can receive a milder censure. But novv his Grace, haveing rode out this storm of grievances, delivered himselve from Parls, and defeat all his enemies, in order to his return to Court, resolves (as it is probable) to give the Kingdom a proove, both of his ovvn free and unconstrained benevolence, and also of his great povver and interest vv ith his Matie, and therefore, there is a letter produced, from the King to his Councell, bearing, that his Maties affection for us, makes him readie to embrace all occasions, whereby he may witnesse his zeal, to doe all things, which may be for our advantage, and ease; and that being informed, by his Commissioner, of some things which have been, & still are, troublesom, & burdensom to us, he hath thought fit, in his royall bountie, and by his royall authoritie, to declare, his royall pleasure for the discharging of all impositions, due before his restoration, all rests of the taxation granted by the Parls 1633., all arrears of the annuitie of tithes, preceeding the Year 1660., and all fines imposed by his Maties first Parls, excepting allwayes from all these, all summes of money allreadie paid, or for which bond is given
preceed-

proceeding the date of the letter: And lastly his Maie doth grant, a general pardon and discharge, of all arbitrarie and pecuniall pains, incurred before the date of the letter, extending even to those against Conventicles, withdrawing from ordinances, disorderlie baptismes and marriages, excepting nevertheless, all capitall crimes, and sentences of banishment, imprisonment, or confinement. Upon this letter, there being a proclamation voted and formed by the Councell, it was the next day made, with the solemnities of the Magistrates in their robes, the citizens in arms, ringing of bells, shooting of guns, publick feasting, bonfires, & all other ceremonies, that were used, in the most extraordinarie occasions of joy: I shall not insist on the peoples wonder, at the vain pomp, of these circumstances, who could find nothing suitable in the subject; nor on the criticisms of the more malignant sort, who regretting, that his Maies affection & zeal for our good, should rather have been directed, by My L. Laude, scant and partiall suggestions then by the full and faithfull advice of his Parli., observed first, that the exception in the discharge, of the rests of impositions, taxations and fynea, was infinitie broader, then the release is selfe, the countrey having, now for 13. years, been so vexed and harassed, for these things, that there is nothing left to be discharged, save a few desperat, and irrecoverable remains. 2dly. that a generall pardon and discharge of arbitrarie and pecuniall pains, is an ordinarie grace, customarie to be granted in most Parli., with such a latitude as they think fit to give it. 3dly. that the extension of this pardon, even to Conventicles &c. can have no emphasis, unless we suppose, conventicling & non-concforming, to be worse then Sabbath-breaking, profane swearing, drinking, whoring, usurie, extortion, and the like. 4thly. that the exception of banishments, imprisonments and confinements, wherein a few Phanatick ministers are mostlie concerned, appears to be an unreasonable reserve of a peevish rigour: and 5thly. that the style of the proclamation viz. *We with advice foresaid, do hereby statute and enact, and accordingly discharge, to our subjects, all rests and assessments &c.* is not onely forced but more Parliamentarie then proper for such edicts.

But the thing, we rather remarque is, that just and important exception, moved against this letter and proclamation, by D. Ham-

miltoun and others in Councell, viz. that D. Hammiltoun, ha-
 ving an undoubted right to the taxation 1633., by a contract be-
 twixt his late Matie. and James then Duke of Hammiltoun, and
 also by a commission from his now Matie, for securitie and repay-
 ment to him of a considerable summe of money, the same could
 not be taken away in this summarie way, without lawfull hearing;
 upon which exception D. Hammiltoun (as he declared) did not
 insist, for the value of the thing, but for obviating so dangerous a
 preparative, to every mans right and propertie; this discharge
 was overtur'd both by himselfe, and others, during the sitting of
 the Park, and if it had been prosecuted, that way, all mens in-
 terests, might have been considered, and also the countrey more
 effectually secured: But after rejecting of that method, to have
 made choise of this, was an introducing of presidents, of an evill
 aspect: And yet albeit it was resolved by the best Lawyers, in a
 writing under their hands, that Duke Hammiltouns right was
 unquestionable, that the King in such cases *utitur jure privati*, and
 that by the fundamentall law of the Land, no mans right could be
 taken away summarie by letter and proclamation (which plea
 was also confirmed by the suffrage of the Judges there present)
 neverthelesse it was with extream heat, and pain, that My L. Laud.
 could be induced to consent to the reserving of D. Hammiltouns
 right, as we finde it to be done, in the Proclamation. I have before
 mentioned, the letter impetrat, from his Matie against Mr Roug-
 heed town-Clerk of Edenburgh, and the offence which general-
 lie it gave, because of the invasion of propertie and libertie, there-
 by threatned; but now, that My L. Laud. should have again, and
 thus openlie, and avowedlie, relapsed into so pernicious an er-
 rour, it doth manifestlie evince, a design of arbitrarinesse, beyond
 the excuses of either follie or fatalitie.

And yet after this, & all his other high & strange misdemeanors,
 which I have hitherto related, My L. Laud. had the confidence,
 to present to the Councell, a letter of answer, to be subscribed by
 them, and sent up to the King, wherein thanks, are not onely re-
 turned for his Maties gracious letter of release, but also for his readi-
 nes shewed by his Commissioner, to have rectified all our griev-
 ances, that were *orderlie* represented: I will not here take notice
 of

of the *dissents*, entered by a considerable part of the Councell; against such a groundlesse and imposing practice; as his Grace would delude the common people, by *bells and bonfires*, and other *emptie and ridiculous shows*, doth he also think, that men of understanding, will suffer their eyes to be put out; is it not enough, that he hath tyrannised over us, with so much pride and oppression, but that he must moreover offer violence to our senses, and not onely obstruct our prayers and cries, to his *Majestie* for his compassion and help, but even endeavour to elicit flattering approbations, and applauses for palliating and supporting these grosse malversations; for which neverthelesse, it is beyond peradventure, that so soon as he shall be arrived at Court, he will think fit to secure himselfe, as he hath already done, for his farre inferior transgressions in England, by his *Majesties* remission and pardon?

Certainlie the free consideration of these things, might stirre up, and raise every ingenuous spirit, to the highest measure of indignation, did not his *Majestie* concern, and engagement therein, farre more powerfullie encline, to a dutifull regrete; who can observe, without an astonishing grieve, this Kingdom, lately so overjoyed, for his *Majesties* restoration, and overflowing in all the possible expressions of the most loyall acknowledgements, now sunke into the saddest depths, of mourning, and darkned, by reason of the withholding of the rayes of his *Majesties* gracious countenance, with clouds of jealousies, which no man is willing to entertain, or yet able to dissipat: And who can think, without a most sensible affliction, that his *Majesties* most excellent understanding & most benign disposition, in all other occasions, should in these matters of the highest consequence, be so oddelie posselt, with such a strange aversion, to hearken to, a most loyall Part. and to be advised by his most affectionat subjects: And lastly who can see, (with out a confusion, and rising of passions; not to be expressed,) the D. of Laud, a person, so insignificant for the advance of his *Majesties* service, and, of late, become so extravagant and unacceptable, even in his privat deportment and ordinarie conversation with all men; yet, in these publick and great affairs, wherein he hath so vvyldie miscarried to preponderat, in his

The offence, to the universall concry of every nation; the
 prejudicial complaint of every Part; and the visible disturbing,
 the breaking, of the peace and quiet of every Kingdom; I shall
 not offer as the arts, charms or enchantments, whereby these
 wonderfull things, may be brought to passe; it is but too too
 manifest, that where *My L. Laud.* did sometime stand in the
 most undutifull difference, & seeminglie irreconcilable distance,
 he hath of late, since the beginning, of the last Dutch vvarr; and
 the arising of the jealousies, which did commence vvith it, pro-
 cured to himselfe, so firm a friendship, & so sure a support, that the
 more that these jealousies, and their dissatisfactions, have in-
 creased, the more hath this favour been confirmed, and in-
 tended. But vvhy should I grope in these suspicious conjectures,
 vvherein all good men, doe rather desire, to find themselves
 deceived, then further cleared: Let us rather vvish, that his
Majties eyes may be opened, and his heart turned towards this,
 his antient Kingdom, and in the mean time be established, in this
 most fixed assurance, that notwithstanding of all the colours, pre-
 tensions, and insinuations, that *My L. Laud.* can employ, for
 the advancing of his particular interest, and ambitious humours,
 against the publick good of the nation, and for the bearing down
 of its best subjects, yet the longed for issue, is as certain as that
 season is reason and men are men.

F I N I S.

READER

I must desire thou would passe over an omission of the Printer in the
 3d sheet, which is the letter C. wherein the pages are misplaced; and
 in thy reading follow the last word of each page and the number; what
 other escapes of misplacing of letters, as in the dedication l. 11. and
 others, for and there and such like, as I know they can not marre the
 sense, so I hope they shall not incurre thy censure.

